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A GREAT VICTORY FOR HONEST POLITICS.

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THE years which bring the philosophic mind bring also a sense of proportion and a serenity of spirit which enable one to cast all personal ambitions and all personal animosities into "the limbo of forgotten things." In discussing, therefore, the subject of this paper, if any expressions which appear to be unduly strong find their way into it they are inspired not by ill-feeling towards individuals, but only by that hatred of political corruption which has had more or less complete possession of the writer all his life. There is not a person in any degree responsible for the evils which are herein strongly condemned whose political advancement, if honestly and fairly won, in an open field and a fair fight, would give rise to any criticism, except possibly upon the electors for the lack of wisdom in their choice. It is not the persons but the system which is the object of attack; and against the system the attack ought to be relentlessly maintained until the last vestige of it is driven out of American politics. "Bossism" has indeed been the curse of our politics for a long while past; and, if "government of the people by the people and for the people" is to continue, that evil system, leading to all abhorrent forms of debauchery, corruption, and degradation of the public service,

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must absolutely disappear. In striving for its disappearance, however, there is no need for undue condemnation of those who have been responsible for it, if they will abandon their evil ways and, placing themselves upon an equality with all other persons desiring to enter the public service, submit their qualifications to the impartial judgment of the voters; but, with less than that concession, no true friend of honest politics can ever be satisfied.

The reappearance of the moral law as an indispensable element in our system of government ought to be a source of great encouragement to all good citizens. The conflict between honest politics and dishonest politics, a conflict for the initiation of which we are largely indebted to Governor Folk of Missouri, has now been waged in many cities and States, with a resulting victory for the right in almost every instance; and the degrading and demoralizing system heretofore accepted has at last met the condemnation it so justly deserved and which by our cowardly acquiescence it has too long escaped.

And every real lover of his country, without regard to his previous condition of partisan servitude, ought to rejoice at the moral lesson so plainly taught by the elections of last November. For "the plain people," in Mr. Lincoln's phrase, saw through the disguises in which our political "bosses" have been disguising their schemes. But, while rejoicing at the result, we must not forget that we have only taken the first step—only drawn "the first blood" in what is likely to be a long and arduous struggle, unless the enemy sooner capitulates. Such victories won by an undisciplined army of enthusiastic reformers are sure to be followed by more or less specious efforts of dishonest schemers to erect a new system of "bossism" of their own on the ruins of the old and beaten system. Others temporarily allied with the good cause, but at heart intriguers and corruptionists, will endeavor to form alliances, open or secret, with such members of the defeated combination of plunderers as they can persuade to betray their old associates, in the hope of a continuance of their share of the plunder in a new association.

Another peril, perhaps equally grave, is likely to beset such a victory. Some men join in such a contest in the confident expectation, no matter what protestations to the contrary have been made, that, if victory follows, the spoils of office will be distributed among the victors. Possibly they are incapable of under-

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standing that the triumph achieved in November was never intended to constitute a new tribe of spoilsmen, disposing of offices in the old way to new henchmen—that is to say, a mere change of the names of our "bosses." In Philadelphia, it meant just the contrary, a sheer, absolute and uncompromising divorce of all form of patronage and "pull" from the city government; and that such government should in the future be conducted solely and exclusively for the public advantage. Above the doorway of every official in the City Hall the people have inscribed this legend: "No man who assisted in subjecting Philadelphia and Pennsylvania to the corrupt system now overthrown need enter here"; and a conclusive test of the sincerity of any man professing to desire decent politics will be found in his willingness or unwillingness to join in political fellowship, in any shape or form whatever, with any member of the defeated combination which so long dishonored and robbed Philadelphia and Pennsylvania, with the object of restoring the old evils under a new name.

The brunt of the fight is still before us; and, in reforming our lines for the next assault, we need not regret if some half-hearted self-seekers fall out of the ranks, for, in such a time as the present, the room of such men is far more valuable than their company. The wise words of Secretary Taft, spoken just after the election, should never be forgotten: "Those who brought about the defeat of the machine cannot afford to lie back on their oars and think they have won a lasting victory. They have merely carried the first intrenchments. What is needed is the earnest attention and work of young men entering politics with the unselfish desire to make them better, and who will strive for open conventions and a free choice by the people of all candidates for office. Such a victory will not be completed for several years." All the same, the glad light of a new day was visible, all around the national horizon, on the morning of the eighth of November, and we are entitled to be glad and grateful for its promise that the Eighth Commandment will again take its proper place in our politics.

In Philadelphia and Pennsylvania, the word "organization" is a euphemism for a band of dishonest politicians herded together, with the single purpose of robbing the taxpayers, and it is used in that sense only in this article. In Boston, both "organizations" joined together and were overthrown by a candidate for the office of Prosecuting Attorney who entered the lists without a

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nomination from either the Democratic or Republican machine; without a contribution from any corporation; without the support of any influential newspaper; while all these powerful political agencies united in supporting his opponent. Astonishing as it may seem, by going straight "back to the people" and asking for their suffrages without fear of those machines, their money, their organization, or their newspapers, he received a great majority of votes. This victory is the more remarkable because the successful candidate is not known to have commended himself to the electorate by any distinguished public service. It would, therefore, seem to be a simple assertion by the voters of Boston of their political independence—an assertion by them that they owned their own votes, and would cast them as they pleased without longer wearing around their necks a collar inscribed: "I am the serf of the 'bosses' of my party and will vote as they dictate."

In the City of New York, the proposal to the voters was of a very different character so far as the candidate was concerned, though the challenge to the voter to exercise his independence of both corrupt political organizations was the same. Mr. Jerome had attracted not only the attention but the confidence and the admiration of all men who hate corrupt politics without reference to the partisan label they might bear. His striking and attractive personality was, therefore, a very important element in the apparently hopeless contest upon which he entered, when he served a defiant and contemptuous notice upon the "bosses" of both the Democratic and Republican parties in the City of New York that he cared for no nomination either or both of them could give him, and that his appeal was only to the voters as citizens. The voters responded to his appeal with an alacrity and an enthusiasm which were a sure presage of the splendid victory he won, and any person disposed to take a cheerless view of the future of the Republic need only consider the results of these two canvasses, to have his faith in free government wholly and absolutely restored, and to be able to rejoice that he is a citizen of the United States and a sharer in the beneficent blessings of its republican institutions,—institutions based, as upon a rock, upon the principle that the will of the majority in all political questions not only must prevail, but ought to prevail, now and always.

In Ohio, a similar struggle proved that the voters of that State cherished the same contempt for political "bosses" as was enter-

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tained by the voters of Boston and New York. They inflicted a most mortifying and overwhelming defeat upon the Republican "boss" of Cincinnati, and dragged down with him the Republican candidate for Governor because of a supposed alliance with the "boss"; and, in Maryland, the courageous attitude maintained for so many years by Secretary Bonaparte was finally justified by a like victory over the same evil system.

In Philadelphia, and throughout Pennsylvania, the same righteous battle was fought and a like splendid victory was won; but the conditions of the struggle there were far more discouraging than prevailed elsewhere. It is well known that the corrupt politicians of Philadelphia and Pittsburg, with their servile allies in the rural sections of the State, had been permitted to rob the public treasuries at their pleasure for more than a quarter of a century. These men called themselves Republicans, because the Republican party was in an overwhelming majority in both these cities as well as in the State, and corrupt politicians always manage to belong to the majority party, or constitute themselves a venal annex to it.

It followed, therefore, as inevitably as the day follows the night, that the persons engaged in "looting" the treasuries of Philadelphia and Pennsylvania would label themselves Republicans, and during the whole of their long, tortuous and criminal career they have worn that label. Many excellent reasons why Pennsylvania took her place in the Republican column in 1860 and remained there steadfastly ever since, and with a steadily increasing majority, could be given; and in the last election the majority for President Roosevelt and Vice-President Fairbanks reached the phenomenal figure of three hundred and fifty thousand votes. Their majority was returned as over five hundred thousand, but the discrepancy is accounted for by the fraudulent ballots placed in the ballot-boxes, apparently in mere wanton hatred of an honest election; and it was against such a colossal majority that any warfare for decent government had to be waged.

There were other odds against the men who began this apparently hopeless strife, equally appalling. A fund exceeding ten millions of dollars had been distributed for many years at each session of the legislature among the charities of the State. This great sum had been so manipulated that no charitable or educational institution, however deserving, could receive adequate aid

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unless its representatives avowed themselves supporters of the "bosses" at whose behests the bounty was apportioned among them.

Another gigantic corruption fund possessed by the "organization" consisted of the vast deposits of the money of the taxpayers in favored banks and banking institutions. So reckless had its members become in the use of this source of corruption that they allowed the children of the State to lack instruction in the public schools, and the salaries of the teachers to remain unpaid, in order that they might divide among themselves and their henchmen the illegal profits they could gain from the use of these great sums deposited in the institutions they selected, which institutions in their turn contributed money to aid in debauching the electorate at each recurring election. The sums so kept on deposit beyond any necessity for doing so have exceeded in recent years ten millions of dollars. In addition to these sources of strength, the "bosses" owned, in absolute fee simple, every office-holder, however high or however low, in most of the considerable cities of the State and throughout the counties. Almost every mayor was their tool, and every man hired to run an elevator in a public building was their tool, as were all the office-holders between these two classes. The chief duty of policemen for many years, in Philadelphia and Pittsburg, has been of a twofold character—to protect the haunts of the most loathsome vice and crime from any interference, in order that politicians of higher or lower degree might receive an infamous revenue from them, and, in the second place, to secure such pretended returns from each election precinct as their masters for the time being demanded from them. This latter work was accomplished by assaulting or arresting any citizen who appeared at the polls demanding an opportunity to see that the votes were honestly cast and honestly counted, and by introducing into the boxes before the voting began an adequate number of fraudulent ballots or adding such pretended votes at the close, as were necessary to produce the majority required of them.

The courts had kindly decided that ballot-boxes thus filled by such men were too sacred to be opened to the light of day upon the sworn allegation that if opened they would disclose great numbers of fraudulent ballots. And, in almost every perpetration of such frauds, and they probably number now over a hundred,

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which has been dragged to the light of a public trial at the bar of the criminal justice, some member of this corrupt combination has been found associated in one way or another with these crimes against the ballot.

The members of the Fire Department were in many instances used for the same base purposes, as was indeed the great majority of all the vast array of office-holders borne upon the pay-rolls of those cities. As if the exaction of such debasing services from men paid by the public to serve the public was not enough, they were required to pay into the treasury of their masters a considerable percentage of their salaries to create another large corruption fund.

In the cities of Philadelphia and Pittsburg, the "bosses" had also allied themselves with what are mistakenly called "Public Service Corporations." They had impudently given away to private promoters and speculators, without any return to the public, but doubtless with ample returns to themselves, the rights of the people in their own highways. They had poured fabulous wealth into the laps of a few men to whom they had handed over, as free gifts, franchises belonging to the people, and worth very many millions of dollars. Indeed, much of the ill-gotten wealth flaunted by these beneficiaries of the "bosses" in the faces of those they have despoiled can be directly traced, without a flaw in the chain of evidence, to this appropriation of property belonging to the people, and which ought in common justice to be returned to them. It was to be expected that all corporations, whose owners were thus fattening upon their ill-gotten spoils, should be ardent supporters of the "bosses," both with money and with votes, as they always have been.

Then, too, the larger business corporations, interested either in legislation at the State Capital or by the municipal legislatures of these great cities, or in the maintenance of protective duties at Washington, felt obliged to pour golden streams annually into the all-devouring maw of the "organization." It is currently repeated that an annual tribute, amounting to over a hundred thousand dollars, was paid to it even in off years, by a few corporations alone, upon the well-worn and now utterly exploded pretext that it was necessary to do so to protect the interests of their stockholders from marauders and blackmailers.

As if all these sources of great strength were not suffi-

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cient, the National Government has drifted into a condition of practical alliance with these "bosses," because they have had practical control of almost all of the nominations for Congress, not only in Philadelphia and Pittsburg, but throughout the State; and at last, with unparalleled effrontery, they actually appointed a Senator, without even going through the form of consulting the Governor, or any member of the legislature, or any organ of public opinion, or any body of voters; but simply by their own edict. No matter how excellent may have been their choice, such a method of making Senators is a grotesque travesty of popular government. In this way, all the patronage of the National Government in Pennsylvania has been concentrated in their hands. Every postmaster, great and small; every revenue collector; every consul; every minister and ambassador pays tribute to them in one form or other—that is, by political services or by checks. It therefore happened that, when it was determined, notwithstanding all these sources of strength and support at their command, to wage war against them, the anomaly was presented that almost every person in Pennsylvania who had been honored with a commission bearing the signature of President Roosevelt was the avowed, persistent and reckless opponent of that decency and honesty in politics for which President Roosevelt has so courageously battled all his life, and in the struggle for which his name and personality have been of such inestimable value. The history of this alliance between the Executive Department of the National Government and the "bosses" cynically engaged in despoiling Philadelphia and Pennsylvania is only part of the same system which has spread its evil influence over many other States, and which President Roosevelt found in full operation when, in the shadow of a great national tragedy, he entered upon the many difficult duties of his office. It was unreasonable to expect that he could at once reverse the evil system which had grown up by gradual accretion for many years; but it is perhaps not too much to hope that, sooner or later, he will add to his other signal services to the cause of civic righteousness that of ending this ignoble use of the federal offices as spoils, whereby the appointments at the disposal of the President are used as props for the indefensible system we have been considering. No defence would seem to be possible for a policy which requires the President of the United States, in the appointment of federal officials,

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to furnish at the expense of the taxpayers political workers and shouters for the particular person who happens for the time being to be a Senator or Representative in Congress. If two equally reputable citizens compete for an office, there is no excuse whatever, in good morals or in good politics, for President Roosevelt giving to the one competitor, at the expense of the taxpayers, because he happens to be holding the office, the great and often controlling advantage of political agents, advocates and contributors of cash, to assist the occupant of the office to defeat his competitor. It happened some years ago that, in a single contest in Pennsylvania between an utterly discredited and dishonest politician who was seeking re-election to Congress and an honest and capable representative whom the honest Republicans sought to put in his place, the taxpayers were supplying the incompetent and dishonest man with more than fifty national, State and municipal office-holders, to defeat the competent and honest candidate they preferred, and the defeat naturally followed. The Constitution says: *The President shall nominate,* and, by and with the advice and consent of the Senate, appoint certain officials; but, in the gradual growth of the spoils system and of the class of politicians such a system inevitably produces, those plain and unmistakable words have been construed as if the provision read: "The Senators and Representatives in Congress of the same political faith as the President shall, in all cases, nominate the officers whose jurisdiction is coextensive with the State or district they happen to represent." A more indefensible perversion of the plain language and meaning of a constitutional mandate can hardly be conceived; and yet, every day, such perversion is acted upon and it seems now taken for granted, both by the Executive Department and the Legislative Department, that such perversion is the actual reading of the clause in question. The plain truth is that appointment under the Constitution is an exclusively Executive act, while confirmation under the same instrument is exclusively a Legislative act, and it is the duty of each department to confine itself to its own duty, without interference with the duty of the other.

It is difficult to estimate the number of active supporters the "bosses" were thus enabled to maintain at the expense of the taxpayers to assist in despoiling them. The policemen, the firemen, the clerks, the hangers-on, and all the other receivers of pay from

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the city treasuries, including even the tipstaves of the courts, when swollen by all the keepers of saloons and brothels, and all others requiring licenses or protection from the city, or favors of any sort, were in themselves a very considerable army. To them were to be added all contractors, subcontractors, and workmen at work for the city, and all the persons employed by the so-called Public Service Corporations, constituting another considerable army of retainers, equally though less directly supplied to the "bosses" at the public expense, and all of President Roosevelt's office-holders. These forces, when added together, aggregated a compact and obedient army of at least thirty thousand men ready for any service demanded of them, from filling a ballot-box to assaulting a reformer.

The existence of these compact cohorts had long been known in a general way; the crimes they had committed, especially their crimes at elections, were familiar to everybody; but, in the course of the struggle, under the masterly management of Judge Gordon as counsel for Mayor Weaver, full, distinct and conclusive proof was given, by the production of the original written agreement, and the sworn testimony of one of the parties to it, that "the peerless leader" of the "organization," who was Governor Pennypacker's Commissioner of Insurance, and whom he had recently eulogized in an executive document, owned a large share of the notorious filtration contracts, which Major Gillette of the United States Army has recently reported to involve plunder exceeding six millions of dollars. A partner of this "peerless leader" was the wife of another leader only a shade less "peerless" than his chief; and other revelations, almost equally appalling, were made in other prosecutions. In most communities, even the victims of "money madness,"—that is, the men engaged in the ardent pursuit of money belonging to other people ("convey, the wise it call")—would have been shocked when proof was followed by proof of such flagrant debauchery of the public service; but it was the most distressing feature of the struggle in Philadelphia that, in addition to all other sources of strength, the "organization" possessed, it could securely rely upon the active sympathy and support of what are generally called the "financial interests." From the beginning of this great moral battle to the end, even to the very eve of the election, and after all these shocking revelations, most of the representatives of the banking and

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financial institutions of Philadelphia were massed in solid column behind "the corrupt and criminal combination" which the honest citizens were about to signally overthrow. No proofs of crime affected these gentlemen. From beginning to end, many hundreds of the wealthy and otherwise reputable citizens of Philadelphia were the open or secret allies of its plunderers; and yet they wonder at the growing hatred of aggregated wealth.

Then, too, the Philadelphia Bar proved itself unworthy of its great and honorable reputation. Many of its leading members, though there were here also honorable exceptions, accepted retainers from the so-called "vested interests," so as to disqualify themselves from assisting honest citizens, striving for better government, with their professional counsel and guidance. Perhaps this moral paralysis of the leaders of the Bar was partly due to the known attitude of some of the judges on the Bench; for what Mr. Jerome has recently said of some of the judges of New York is eminently true of some of the judges of Philadelphia and throughout Pennsylvania, in all the grades of our judiciary.

And yet such confederates of the evil system we are considering ought not to be too severely blamed. The long condition of base and degrading political bondage had been slowly doing its evil work upon their character. As has already been said, such bondage had existed for more than a quarter of a century. It had of course grown by what it fed upon. Its demoralizing influence had spread into every hamlet of the commonwealth, for everywhere could be found some person more or less influential, who was a beneficiary, or hoped to be a beneficiary in one way or another, of this powerful combination; while the country press was generally subsidized by it, so that it seemed chimerical to imagine that men no longer young, and tired of the strifes and antagonisms of life, would live to witness the redemption of Philadelphia and Pennsylvania from their low-minded and craven-hearted servitude.

Then came a wholly unexpected change in the situation. Some especially flagrant attack upon their rights of property seems to have been needed to arouse the citizens of Philadelphia to that white heat of anger which was essential alike to the inception and the prosecution of the great struggle which awaited them; and when it was clearly seen that the "organization" proposed, in addition to all its other outrages, to take from the people their invaluable Gas Works with their exclusive franchises and to hand

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over these great properties for the lifetime of three generations to a private corporation, upon terms which were popularly believed to be equivalent to the "stealing" of them, the wrath of the plain people knew no bounds and was easily and swiftly transformed into what proved to be a resistless political movement.

The most controlling factor, however, was the fact that man is a moral animal; and there is no more interesting, and certainly no more instructive and inspiring, study in the history of the world than the gradual development of the moral sense among men. Its growth from Epicurus to Christ has been recently portrayed; but, long before Epicurus, the seminal idea is discernible. Indeed, it is discernible the very first time we come face to face with man living in anything which can be called an approach to a civilized environment. As soon as he is shown in contact with his neighbor, the idea of duty towards that neighbor is seen emerging, and, slowly but surely, more and more governs his conduct and his life; and, since Christ came, it is a commonplace of history that the moral sense has with far greater rapidity come to dominate his actions. It was overlooked that, in the hearts of multitudes of men and women in Philadelphia and Pittsburg, and in every county of Pennsylvania, the faith, though dormant, still existed that the Eighth Commandment was of vital obligation in politics, and that an honest and straightforward appeal to that faith was reasonably sure of an answer.

The persons best qualified to make that appeal were, of course, the teachers of religion, and they were quick to see their opportunity and to seize upon it. Every religious denomination, without exception, became an advocate of civic righteousness, and almost every clergyman threw himself, heart and soul, into the contest, as soon as the moral and religious character of it became clear to him. In season and out of season; in their convocations; in their prayer-meetings; from their pulpits, they kept repeating over and over again that the modern reading of the Eighth Commandment is not the true one. They insisted it does not read: "Thou shalt not steal, unless thou art a politician; but, if a politician, steal all thou canst"; but that it reads plainly and unequivocally, "Thou shalt not steal." It is difficult to overestimate the influence of this steady continuous, eloquent preaching of this simple truth to the voters. For the first time, they saw themselves confronted with the duty of voting honestly as citizens, or worshipping hypocritic-

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ally as Christians; and a great majority of them chose to vote honestly and to worship God in sincerity and in truth.

Then, too, was witnessed the amazing power of an untrammelled and independent press. The great journals which owed no allegiance to this "corrupt and criminal combination," whose owners and editors had never been upon its pay-rolls, and who were in no danger of going upon them, began their effective work of moral propagandism. They taught, from the beginning of the struggle to the end, in words often tipped as it were with fire, that the privilege of the ballot was a consecrated privilege, and that no man had any more right to prostitute it to his own wicked and selfish purposes when he approached the polls than to so prostitute himself in any other relation in life. In every form of pathetic entreaty and in every form of eloquent appeal, these great newspapers made their way to the consciences of the people, and any attempt to state the extent of their influence, or their share in the great victory which was achieved, would only lead to the use of words which might be thought to be exaggeration. It is enough to say that every friend of decent government throughout the land, North, South, East and West, owes them a debt of lasting gratitude.

In addition to all these forces on the right side, there was another of a value which can be truly said to be quite beyond calculation. There happened to be sitting in the Mayor's chair in Philadelphia a singular personage. He was a self-made man, still young, who had been born in England, and coming here in his youth had struggled upward day by day until he attained a very respectable position at the Bar of Philadelphia, from which he was promoted by the "bosses" themselves, first to be the Prosecuting Attorney of the city, and afterwards to be its Mayor, for they believed they had in him a useful and pliant tool. The years bring with them great compensations; but, like all earthly blessings, they bring some abatements in their train, so that it required some time to persuade oneself that John Weaver really was the kind of man he has now conclusively proven himself to be: a growing man, dominated absolutely by his conscience in all his public actions, brave to the verge of rashness in any line of conduct he has persuaded himself is right, and incapable of betraying the people. Given such a man in such a place, and the whole aspect of the struggle was changed as in a moment. The good people of

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Philadelphia all said in the beginning, "If only the Mayor remains true"; and soon they were all saying, "Now that we know that the Mayor will remain true, the chances of the great battle have turned in our favor." Each day endeared him more and more to those who care for pure and honest politics. To-day, no office-holder of the city of Philadelphia, high or low, is taxed a penny of his salary for any cause whatever; no such office-holder, high or low, is allowed to interfere with the exercise of the sacred right of the ballot by any voter; no such office-holder is allowed to spend the time for which the taxpayers pay him in the service of their plunderers, although he may have originally owed his appointment to them. The law establishing a civil service for Philadelphia has been rescued from the contemptuous disregard of it always heretofore shown, into an active, energetic and impartial administration of its provisions, so that to-day every applicant for employment, in any department of the municipal government, is absolutely sure of a "square deal." "Pull" has been abolished and merit has been substituted through every grade of employment. Mayor Weaver has also developed into a most effective popular orator. His directness of appeal, his manly and fervent insistence upon morality in politics, and his evident sincerity made a profound impression upon every audience he was persuaded to address.

His co-workers were pure-minded, high-spirited, fearless citizens, having no aim in their political activity but the public welfare. It would be invidious to name them, but there is no danger that a grateful community will ever forget their arduous, unselfish and effective labors, especially as those labors have been crowned with such a brilliant success. They came from their counting-houses; from their great manufacturing establishments; from their offices; from all the pursuits of a varied business community like Philadelphia; and they gave ungrudgingly of their money and their time and their intelligence in support of the noble cause of which they voluntarily constituted themselves the champions. The roll of honor on which their names are legibly inscribed will not be permitted to fade from the sight of the people they helped to rescue from a bondage worse than death.

And it sometimes seemed as if the stars in their courses were fighting for the friends of pure government. At a critical moment in the battle, a number of the members of the Union League saw

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fit to range themselves on the side of the "bosses" and demanded that the warfare against them should cease. Such a wanton betrayal of the cause of honest politics, by such men at such a time, might have had a disastrous effect; but, in truth, it only served to show the undaunted courage of the hosts of reform. Such as were members of the Union League indignantly denied the right of anybody to dishonor its name by such association, and all, as honest citizens seeking honest government, trampled the appeal beneath their feet.

But some weaker brethren were in danger of being misled by the cry of "reform within the party." It was said that the "organization," however bad, was in control of the Republican party in the city and in the State, and that those who struck at it were striking, not only at the Republican party, but at President Roosevelt and his administration. The situation was unsatisfactory, and even good men were saying, "We must not go too far, you know." And then one morning we all read these inspiring words of cheer to Mayor Weaver from Mr. Root, who had just accepted the place of Secretary of State:

"I have acquired absolute confidence in the sincerity of your purpose and in your pluck and persistency, and I have a strong desire that the city of Philadelphia, whose history and good name are so dear to every American, shall be relieved from the strain which a corrupt and criminal combination, masquerading under the name of Republicans, have put upon her. I wish you Godspeed in your future efforts."

The ringing phrases of this now historic letter, which came "like a bolt from the blue," were at once upon all lips and reappeared in a thousand forms thenceforward to the end of the canvass. From the day of its publication, all doubt of the result in Philadelphia disappeared, leaving only the question of the size of the majority, which proved to be larger than even the most sanguine friends of the cause expected.

As if this triumph in the city was not glory enough for one campaign, a victory, possibly pregnant with even more beneficent results, was achieved in the State, transforming the majority of 350,000 votes for the Republican candidates last year into a majority of almost 90,000 votes for the reform candidate this year. At the opening of the canvass, the prospect of redeeming the State was certainly not brilliant. While everybody who

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knew Mr. Berry spoke most favorably of him, he was then holding the unimportant office of Mayor of the city of Chester. He was the nominee of the Prohibition party, and Prohibition is not very popular in Pennsylvania. He was the nominee of the Democratic party, and the Democratic party has for nearly fifty years been extremely unpopular in Pennsylvania, and never more so than a year ago; but, as the canvass progressed, he more and more impressed the voters with his absolute honesty. They saw in him a man who, if elected, would change the administration of the finances of the State from that of a great corruption fund, farmed out to favored politicians, into a system in which the interests and the true financial advantage of the commonwealth would be the only consideration. His opponent fortunately represented every evil attribute of the "organization"; so that, as the canvass progressed, it was seen that the division throughout the State would largely be upon the same lines as in Philadelphia—those who believed in corrupt politics would vote for the candidate of the "organization," while most of those who believed in honest politics would vote for Mr. Berry, although it was also known that the candidate of the "organization" would receive the votes of many honest and well-meaning men who were the slaves of the party name, for the "organization" had so manipulated the legislature and the courts that it alone was permitted to use the word Republican, no other citizens being allowed to use it, no matter how clearly and emphatically they distinguished it by other words from the use made of it by the "organization" itself. Honest Republicans were, therefore, driven to the use of an entirely new name, which is always a great disadvantage if adopted immediately before an election.

And now the stars in their courses seemed to be fighting for the cause of reform in the State also, for, while thousands of voters were halting between two opinions, doubting if all the assertions of the corrupt manipulation of the State Treasury could be true, the news was flashed into every corner of the commonwealth that a Pittsburg bank, having on deposit more than a million dollars of the money of the taxpayers, was bankrupt because it had used the money to build up schemes of politicians more or less closely affiliated with the "organization," and that in an agony of shame and despair the cashier had killed himself. His death completed a trilogy of awful tragedies, all traceable beyond question

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to the same cause. The cashier of the State Treasury at the State capital had killed himself in a like agony of shame and despair, because the then leaders of the "organization" had robbed it of its last dollar, and discovery was at the door. The cashier of the People's Bank in Philadelphia, lending its State deposits to one of the same leaders on his promise to "shake the plum-tree," upon seeing as in a vision the doors of the penitentiary opening for him, had also killed himself. These three graves, these three desolate and dishonored homes, these three widows and their fatherless children, all chargeable to the same abhorrent dishonesty and all thus grouped together, brought the consequences of misrule home to the conscience of the voters as never before, and thenceforth the election of Mr. Berry was assured.

The Lincoln Party, born in a night, was offered to the Republican voters as their only way of escape from a repetition of such horrors, and was eagerly accepted by them; and by placing the name of Mr. Berry at the head of its ticket, it succeeded, with the other organizations supporting him, in securing his election by the great majority already mentioned. It is therefore entirely accurate to say that the battle of last November, both in Philadelphia and in Pennsylvania, was fought out distinctly and unmistakably upon the issue, Shall or shall not the Eighth Commandment be applied to politics? Philadelphia has answered, Yes; Pennsylvania has answered, Yes; and both in unmistakable tones. Such results offer reasonable grounds for great and sincere rejoicing; but the men who have waged this great warfare know that the struggle is not over, but is really only beginning. It is to be hoped they will continue it, with renewed courage and renewed hope, until they have actually redeemed the cities of the State, as well as the State itself, from "the corrupt and criminal combination masquerading as Republicans" which has so long plundered and dishonored them. Full and conclusive proofs have now been laid before the people. They know the crimes which have been committed, and who committed them. They are now familiar with the long and loathsome story of the degradation of our public life, chargeable to the "organization." If henceforth they are not on the right side it can only be because they prefer corruption and dishonesty.

Honest politics need just now, as never before, the support of all good men, and especially young men, for to them belong

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the duty and the glory of carrying on this warfare until all graft and all grafters are driven from every department of our public life; but they must bring to the work a spirit of absolute consecration. If they are asked to ally themselves with any corruptionist who has left the sinking ship of his old associates only because it was sinking, they should treat the suggestion as one of personal dishonor,—nor must they serve such a cause only in hope of compensation for their service. They must be in politics, not for what they can get, but for what they can do. They must be pure in spirit and self-denying in sacrifice, and aflame with devotion to two symbols—that of duty and that of country. Inspired by such motives, sooner or later they will restore our politics to their old standards of dignity and honor, and rest them again, as of old, upon true religion and true patriotism. Such service is worthy of the noblest ambition. It is the service in which Warren fell at Bunker Hill and Shaw at Fort Wagner, and it ennobles all its true and faithful soldiers, living and dead, in peace as in war, for they are all defenders of the best form of government—in spite of all its imperfections, and there are many and grave—ever known, that of the American Democracy.

WAYNE MAC VEAGH.

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NEW YORK: SOCIAL NOTES.—I.

BY HENRY JAMES.

I.

WERE I not afraid of appearing to strike to excess the so-called pessimistic note, I should really make much of the interesting, appealing, touching vision of waste—I know not how else to name it—that flung its odd melancholy mantle even over one's walks through the parts of the town supposedly noblest and fairest. For it proceeded, the vision, I think, from a source or two still deeper than the most obvious, the constant shocked sense of houses and rows, of recent expensive construction (that had cost thought as well as money, that had taken birth presumably as a *serious* demonstration, and that were thereby just beginning to live into history) marked for removal, for extinction, in their prime, and awaiting it with their handsome faces so fresh and yet so wan and so anxious. The most tragic element in the French Revolution, and thence surely the most tragic in human annals, was the so frequent case of the very young sent to the scaffold—the youths and maidens, all bewildered and stainless, lately born into a world decked for them socially with flowers, and for whom, none the less, suddenly, the horror of horrors uprose. They were literally the victims I thought of, absurd as it may seem, under the shock in question; in spite of which, however, even this is not what I mean by my impression of the squandered effort. I have had occasion to speak—and one can only speak with sympathy—of the really human, the communicative, side of that vivid show of a society trying to build itself, with every elaboration, into some coherent sense *of* itself, and literally putting forth interrogative feelers, as it goes, into the ambient air; literally reaching out (say, to the charmed beholder) for some measure and some test of its success. This

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effect of certain of the manifestations of wealth in New York is, so far as I know, unique: nowhere else does pecuniary power so beat its wings in the void, and so look round it for the charity of some hint as to the possible awkwardness or possible grace of its motion, some sign of whether it be flying, for good taste, too high or too low. In the other American cities, on the one hand, the flights are as yet less numerous—though already promising no small diversion; and amid the older congregations of men, in the proportionately rich cities of Europe, on the other hand, good taste is present, for reference and comparison, in a hundred embodied and consecrated forms. Which is why, to repeat, I found myself recognizing in the New York predicament a particular character and a particular pathos. The whole costly up-town demonstration was a record, in the last analysis, of individual loneliness; whence came, precisely, its insistent testimony to waste—waste of the still wider sort than the mere game of rebuilding.

That quite different admonition of the general European spectacle, the effect, in the picture of things, as of a large, consummate economy, traditionally practised, springs from the fact that old societies, old, and even new, aristocracies, are arranged exactly to supply functions, forms, the whole element of custom and perpetuity, to any massiveness of private ease, however great. Massive private ease attended with no force of assertion beyond the hour is an anomaly rarely encountered, therefore, in countries where the social arrangements strike one as undertaking, by their very nature and pretension, to make the future as interesting as the past. These conditions, the romantic ones for the picture-seeker, are generally menaced, one is reminded; they tend to alter everywhere, partly by the very force of the American example, and it may be said that in France, for instance, they have done nothing but alter for a hundred years. It none the less remains true that for once that we ask ourselves "in Europe" what is going to become of a given piece of property, whether family "situation," or else palace, castle, picture, *parure,* other attribute of wealth, we indulge in the question twenty times in the United States—so scant an engagement does the visible order strike us as taking to provide for it. There comes in the note of loneliness on the part of these loose values—deep as the look in the eyes of dogs who plead against a change

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of masters. The visible order among ourselves undertakes at the most that they shall change hands, and the meagreness and indignity of this doom affect them as a betrayal just in proportion as they have grown great. Uppermost Fifth Avenue, for example, is lined with dwellings the very intention both of the spread and of the finish of which would seem to be to imply that they are "entailed" as majestically as red tape can entail them. But we know how little they enjoy any such courtesy or security; and, but for our tender heart and our charming imagination, we would blight them in their bloom with our restless analysis. "It's all very well for you to look as if, since you've had no past, you're going in, as the next best thing, for a magnificent compensatory future. What are you going to make your future *of,* for all your airs, we want to know?—what elements of a future, as futures have gone in the great world, are at all assured to you? Do what you will, you sit here only in the lurid light of 'business,' and you know, without our reminding you, what guarantees, what majestic continuity and heredity, *that* represents. Where are not only your eldest son and *his* eldest son, those prime indispensables for any real *projection* of your estate, unable as they would be to get rid of you even if they should wish; but where even is the old family stocking, properly stuffed and hanging so heavy as not to stir, some dreadful day, in the cold breath of Wall Street? No, what you are reduced to for 'importance' is the present, pure and simple, squaring itself between an absent future and an absent past as solidly as it can. You overdo it for what you are—you overdo it still more for what you may be; and don't pretend, above all, with the object-lesson supplied you, close at hand, by the queer case of Newport, don't pretend, we say, not to know what we mean."

"We say," I put it, but the point is that we say nothing, and it is that very small matter of Newport exactly that keeps us compassionately silent. The present state of Newport shall be a chapter by itself, which I long to take in hand, but which must wait its turn; so that I may mention it here only for the supreme support it gives to this reading of the conditions of New York opulence. The show of the case to-day—oh, so vividly and pathetically!—is that New York and other opulence, creating the place, for a series of years, as part of the effort of "American society" to find out, by experiment, what it would be at,

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now has no further use for it—has only learned from it, at an immense expenditure, how to get rid of an illusion. "We've found out, after all, (since it's a question of what we would be 'at') that we wouldn't be at Newport—if we can possibly be anywhere else; which, with our means, we indubitably *can* be: so that we leave poor dear Newport just ruefully to show it." That remark is written now over the face of the scene, and I can think nowhere of a mistake confessed to so promptly, yet in terms so exquisite, so charmingly cynical; the terms of beautiful houses and delicate grounds closed, condemned and forsaken, yet so "kept up," at the same time, as to cover the retreat of their projectors. The very air and light, soft and discreet, seem to speak, in tactful fashion, for people who would be embarrassed to be there—as if it might shame them to see it proved against them that they could once have been so artless and so bourgeois. The point is that they have learned not to be, by the rather terrible process of exhausting the list of mistakes. Newport, for them—or for us others—is only one of these mistakes; and we feel no confidence that the pompous New York houses, most of them so flagrantly tentative, and tentative only, bristling with friezes and pinnacles, but discernibly deficient in reasons, shall not collectively form another. It is the hard fate of new aristocracies that the element of error, with them, has to be contemporary—not relegated to the dimness of the past, but receiving the full modern glare, a light fatal to the fond theory that the best society, everywhere, has grown, in all sorts of ways, in spite of itself. We see it in New York trying, trying its very hardest, to grow, yet not knowing (by so many indications) what to grow *on*.

There comes back to me again and again, for many reasons, a particular impression of this interesting struggle in the void—a constituted image of the upper social organism floundering there all helplessly, more or less floated by its immense good-will and the splendor of its immediate environment, but betrayed by its paucity of real resource. The occasion I allude to was simply a dinner-party, of the most genial intention, but at which the note of high ornament, of the general uplifted situation, was so consistently struck that it presented itself, on the page of New York life, as a purple patch without a possible context—as consciously, almost painfully, unaccompanied by passages in any-

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thing like the same key. The scene of our feast was a palace and the perfection of setting and service absolute; the ladies, beautiful, gracious and glittering with gems, were in tiaras and a semblance of court trains, a sort of prescribed official magnificence; but it was impossible not to ask one's self with what, in the wide American frame, such great matters might be supposed to consort or to rhyme. The material pitch was so high that it carried with it really no social sequence, no application, and that, as a tribute to the ideal, to the exquisite, it wanted company, support, some sort of consecration. The difficulty, the irony, of the hour was that so many of the implications of completeness, that is of a sustaining social order, were absent. There was nothing for us to do, at eleven o'clock—or for the ladies at least—but to scatter and go to bed. There was nothing, as in London or in Paris, to go "on" to; the going "on" is, for the New York aspiration, always the stumbling-block. A great court-function would alone have met the strain, met the terms of the case—would alone properly have crowned the hour. When I speak of the terms of the case, I must remind myself indeed that they were not all of one complexion; which is but another sign, however, of the inevitable jaggedness of the purple patch in great commercial democracies. The high color required could be drawn in abundance from the ladies, but in a very minor degree, one easily perceived, from the men. The impression was singular, but it was there: had there been a court-function the ladies must have gone on to it alone, trusting to have the proper partners and mates supplied them on the premises—supplied, say, with the checks for recovery of their cloaks. The high pitch, all the exalted reference, was of the palatial house, the would-be harmonious women, the tiaras and the trains; it was not of the amiable gentlemen, delightful in their way, in whose so often quaint presence, yet without whose immediate aid, the effort of American society to arrive at the "best" consciousness goes forward.

This failure of the sexes to keep step socially is to be noted, in the United States, at every turn, and is perhaps more suggestive of interesting "drama," as I have already hinted, than anything else in the country. But it illustrates further that foredoomed *grope* of wealth, in the conquest of the amenities—the strange necessity under which the social interest labors of find-

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ing out for itself, as a preliminary, what civilization really *is*. If the men are not to be taken as contributing to it, but only the women, what new case is *that*, under the sun, and under what strange aggravations of difficulty therefore is the problem not presented? We should call any such treatment of a different order of question the empirical treatment—the limitations and aberrations of which crop up, for the restless analyst, in the most illustrative way. Its presence is felt unmistakably, for instance, in the general extravagant insistence on the Opera, which plays its part as the great vessel of social salvation, the comprehensive substitute for all other conceivable vessels; the *whole* social consciousness thus clambering into it, under stress, as the whole community crams into the other public receptacles, the desperate cars of the Subway or the vast elevators of the tall buildings. The Opera, indeed, as New York enjoys it, one promptly perceives, is worthy, musically and picturesquely, of its immense function; the effect of it is splendid, but one has none the less the oddest sense of hearing it, as an institution, groan and creak, positively almost split and crack, with the extra weight thrown upon it—the weight that in worlds otherwise arranged is artfully scattered, distributed over all the ground. In default of a court-function, our ladies of the tiaras and court trains might have gone on to the opera-function, these occasions offering the only approach to the implication of the tiara known, so to speak, to the American law. Yet even here there would have been no one for them, in congruity and consistency, to curtsy to—their only possible course becoming thus, it would seem, to make obeisance, clingingly, to each other. This truth points again the effect of a picture poor in the male presence; for to what male presence of native growth is it thinkable that the wearer of an American tiara *should* curtsy? Such a vision gives the measure of the degree in which we see the social empiricism in question putting, perforce, the cart before the horse. In worlds otherwise arranged, besides there being, always, plenty of subjects for genuflexion, the occasion itself, with its character fully turned on, produces the tiara. In New York this symbol has, by an arduous extension of its virtue, to produce the occasion.

I found it interesting to note, I may add, that the very Clubs, on whose behalf, if anywhere, expert tradition might have operated, betrayed with a *bonhomie* touching in the midst of their

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magnificence the empirical character. Was not their admirable, their unique, hospitality, for that matter, an empirical note—a departure from the consecrated collective egoism governing such institutions in worlds, as I have said, otherwise arranged? Let the hospitality, in this case at least, stand for the prospective discovery of a new and better law, under which the consecrated egoism itself will have become the "provincial" sign. Endless at all events, the power of one or two of these splendid structures to testify to the state of manners—of manners undiscourageably seeking the superior stable equilibrium. There had remained with me as illuminating, from years before, the confidential word of a friend on whom, after a long absence from New York, the privilege of one of the largest clubs had been conferred. "The place is a palace, for scale and decoration, but there is only one kind of letter-paper." There would be more kinds of letter-paper now, I take it—though the American club struck me everywhere, oddly, considering the busy people that employ it, as much less an institution for attending to one's correspondence than others I had had knowledge of; generally destitute, in fact, of copious and various appliances for that purpose. There is such a thing as the imagination of the writing-table, and I nowhere, save in a few private houses, came upon its fruits; to which I must add that this is the one connection in which the provision for ease has not an extraordinary amplitude, an amplitude unequalled anywhere else. One emphatic reservation, throughout the country, the restored absentee finds himself continually making, but the universal custom of the house with almost no one of its indoor parts distinguishable from any other is an affliction against which he has to learn betimes to brace himself. This diffused vagueness of separation between apartments, between hall and room, between one room and another, between the one you are in and the one you are not in, between place of passage and place of privacy, is a provocation to despair which the public institution shares impartially with the luxurious "home." To the spirit attuned to a different practice these dispositions can only appear a strange perversity, an extravagant aberration of taste; but I may here touch on them scarce further than to mark their value for the characterization of manners.

They testify at every turn, then, to those of the American people, to the prevailing "conception of life"; they correspond,

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withindoors, to the as inveterate suppression of almost every outward exclusory arrangement. The instinct is throughout, as we catch it at play, that of minimizing, for any "interior," the guilt or odium or responsibility, whatever these may appear, of its *being* an interior. The custom rages like a conspiracy for nipping the interior in the bud, for denying its right to exist, for ignoring and defeating it in every possible way, for wiping out successively each sign by which it may be known from an *ex*terior. The effacement of the difference has been marvellously, triumphantly, brought about; and, with all the ingenuity of young, fresh, frolicsome architecture aiding and abetting, has been made to flourish, alike in the small structure and the great, as the very law of the structural fact. Thus we have the law fulfilled that every part of every house shall be, as nearly as may be, visible, visitable, penetrable, not only from every other part, but from as many parts of as many other houses as possible, if they only be near enough. Thus we see systematized the indefinite extension of all spaces and the definite merging of all functions; the enlargement of every opening, the exaggeration of every passage, the substitution of gaping arches and far perspectives and resounding voids for enclosing walls, for practicable doors, for controllable windows, for all the rest of the essence of the room-character, that room-suggestion which is so indispensable not only to occupation and concentration, but to conversation itself, to the play of the social relation at any other pitch than the pitch of a shriek or a shout. This comprehensive canon has so succeeded in imposing itself that it strikes you as reflecting inordinately, as positively serving you up for convenient inspection, under a clear glass cover, the social tone that has dictated it. But I must confine myself to recording, for the moment, that it takes a whole new discipline to put the visitor at his ease in so merciless a medium; he finds himself looking round for a background or a limit, some localizing fact or two, in the interest of talk, of that "good" talk which always falters before the complete proscription of privacy. He sees only doorless apertures, vainly festooned, which decline to tell him where he is, which make him still a homeless wanderer, which show him other apertures, corridors, staircases, yawning, expanding, ascending, descending, and all as for the purpose of giving his presence "away," of reminding him that what he says must be

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said for the house. He is beguiled in a measure by reading into these phenomena, ever so sharply, the reason of many another impression; he is beguiled by remembering how many of the things said in America *are* said for the house; so that if all that he wants is to keep catching the finer harmony of effect and cause, of explanation and implication, the cup of his perception is full to overflowing.

That satisfaction does represent, certainly, much of his quest; all the more that what he misses, in the place—the comfort and support, for instance, of windows, porches, verandas, lawns, gardens, "grounds," that, by not taking the whole world into their confidence, have not the whole world's confidence to take in return—ranges itself for him in that large body of American idiosyncrasy which contains, unmistakably, a precious principle of future reaction. The desire to rake and be raked has, doubtless, he makes out, a long day before it still; but there are too many reasons why it should not be the last word of *any* social evolution—the social idea has too inevitably secrets in store, quite other constructive principles, quite other refinements on the idea of intercourse, with which it must eventually reckon. It will be certain at a given moment, I think, to head in a different direction altogether; though, obviously, many other remarkable things, changes of ideal, of habit, of key, will have to take place first. The conception of the home, and *a fortiori* of the club, as a combination of the hall of echoes and the toy "transparency" held against the light, will meanwhile sufficiently prevail to have made my reference to it not quite futile. Yet I must after all remember that the reservation on the ground of comfort to which I just alluded applies with its smallest force to the interchangeability of club-compartments, to the omnipresence of the majestic open arch in club conditions. Such conditions more or less prescribe that feature, and criticism begins only when private houses emulate the form of clubs. What I had mainly in mind was another of these so inexhaustible values of my subject; with which the question of rigor of comfort has nothing to do. I cherish certain remembered aspects for their general vivid eloquence—for the sake of my impression of the type of great generous club-establishments in which the "empiricism" of that already-observed idea of the conquest of splendor could richly and irresponsibly flower. It is of extreme

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interest to be reminded, at many a turn of such an exhibition, that it takes an endless amount of history to make even a little tradition, and an endless amount of tradition to make even a little taste, and an endless amount of taste, by the same token, to make even a little tranquillity. Tranquillity results, largely, from taste tactfully applied, taste lighted above all by experience and possessed of a clue for its labyrinth. There is no such clue, for club-felicity, as some view of congruities and harmonies, completeness of correspondence between aspects and uses. A sense for that completeness is a thing of slow growth, one of the flowers of tradition precisely; of the good conservative tradition that walks apart from the extravagant use of money and the unregulated appeal to "style"—passes in fact, at its best, quite on the other side of the way. This discrimination occurs, when the ground has the good fortune to be already held by some definite, some transmitted, conception of the adornments and enhancements that consort, and that do not consort, with the presence, the habits, the tone, of lounging, gossiping, smoking, newspaper-reading, bridge-playing, cocktail-imbibing men. The club-developments of New York read here and there the lesson of the strange deserts in which the appeal to style may lose itself, may wildly and wantonly stray, without a certain light of fine old gentlemanly prejudice to guide it.

II.

But I should omit half my small story were I not meanwhile to make due record of the numerous hours at which one ceased consciously to discriminate, just suffering one's sense to be flooded with the large clean light and with that suggestion of a crowded "party" of young persons which lurked in the general aspect of the handsomer regions—a great circle of brilliant and dowered débutantes and impatient youths, expert in the cotillion, waiting together for the first bars of some wonderful imminent dance-music, something "wilder" than any ever yet. It is such a wait for something more, these innocents scarce know what, it is this, distinctly, that the upper New York picture seems to cause to play before us; but the wait is just that collective alertness of bright-eyed, light-limbed, clear-voiced youth, without a doubt in the world and without a conviction; which last, however, always, may perfectly be absent without prejudice to confi-

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dence. The confidence and the innocence are those of children whose world has ever been practically a safe one, and the party so imaged is thus really even a child's party, enormously attended, but in which the united ages of the company make up no formidable sum. In the light of that analogy, the New York social movement of the day, I think, always shines—as the whole show of the so-called social life of the country does, for that matter; since it comes home to the restless analyst everywhere that this "childish" explanation is the one that meets the greatest number of the social appearances. To arrive—and with tolerable promptitude—at that generalization is to find it, right and left, immensely convenient, and thereby quite to cling to it: the newspapers alone, for instance, doing so much to feed it, from day to day, as with their huge playfully brandished wooden spoon. We seem at moments to see the incoherence and volatility of childhood, its living but in the sense of its hour and in the immediacy of its want, its instinctive refusal to be brought to book, its boundless liability to contagion and boundless incapacity for attention, its ingenuous blankness to-day over the appetites and clamors of yesterday, its chronic state of besprinklement with the sawdust of its ripped-up dolls, which it scarce goes even through the form of shaking out of its hair—we seem at moments to see these things, I say, twinkle in the very air, as by reflection of the movement of a great, sunny playroom floor. The immensity of the native accommodation, socially speaking, for the childish life, is not that exactly the key of much of the spectacle? —the safety of the vast flat expanse where every margin abounds and nothing too untoward need happen. The question is interesting, but I remember quickly that I am concerned with it only so far as it is part of the light of New York.

It appeared at all events, on the late days of spring, just a response to the facility of things and so much of their juvenile pleasantry, to find one's self "liking," without more ado, and very much even at the risk of one's life, the heterogeneous, miscellaneous apology for a Square marking the spot at which the main entrance, as I suppose it may be called, to the Park opens toward Fifth Avenue; opens toward the glittering monument to Sherman, toward the most death-dealing, perhaps, of all the climaxes of electric car cross-currents, toward the loosest of all the loose distributions of the overtopping "apartment" and other

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hotels, toward the most jovial of all the sacrifices of preconsidered composition, toward the finest of all the reckless revelations, in short, of the brave New York humor. The best thing in the picture, obviously, is Saint Gaudens's great group, splendid in its golden elegance and doing more for the scene (by thus giving the beholder a point of such dignity for his orientation) than all its other elements together. Strange and seductive for any lover of the reasons of things this inordinate value, on the spot, of the dauntless refinement of the Sherman image; the comparative vulgarity of the environment drinking it up, on one side, like an insatiable sponge, and yet failing at the same time sensibly to impair its virtue. The refinement prevails and, as it were, succeeds; holds its own in the medley of accidents, where nothing else is refined, unless it be the amplitude of the "quiet" note in the front of the Metropolitan Club, amuses itself, in short, with being as extravagantly "intellectual" as it likes. Why, therefore, given the surrounding medium, does it so triumphantly impose itself, and impose itself not insidiously and gradually, but immediately and with force? Why does it not pay the penalty of expressing an idea and being founded on one? —such scant impunity seeming usually to be enjoyed among us, at this hour, by any artistic intention of the finer strain? But I put these questions only to give them up—for what I feel beyond anything else is that Mr. Saint Gaudens somehow takes care of himself.

To what measureless extent he does this on occasion one was to learn, in due course, from his magnificent Lincoln at Chicago—the lesson there being simply that of a mystery exquisite, the absolute inscrutable; one of the happiest cases known to our time, known doubtless to any time, of the combination of intensity of effect with dissimulation, with deep disavowal, of process. After seeing the Lincoln one consents for its author, to the drop of questions—that is the lame truth; a truth in the absence of which I should have risked another word or two, have addressed perhaps even a brief challenge to a certain ambiguity in the Sherman. Its idea, to which I have alluded, strikes me as equivocal, or more exactly as double; the image being, on the one side, and splendidly rendered, that of an overwhelming military Advance, an irresistible march into an Enemy's country—the strain forward, the very inflation of drapery with the rush, sym-

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bolizing the very breath of the Destroyer. But the idea is at the same time—which part of it is also admirably expressed—that the Destroyer is a messenger of peace, with the olive branch too waved in the blast, and with embodied grace, in the form of a beautiful American Girl, attending his business. And I confess to a lapse of satisfaction in the presence of this interweaving—the result doubtless of a sharp suspicion of all attempts, however glittering and golden, to confound destroyers with benefactors. The military monument in the city square responds evidently, wherever a pretext can be found for it, to a desire of men's hearts; but I would have it always as military as possible, and I would have the Destroyer, in intention at least, not docked of one of his bristles. I would have him deadly and terrible, and, if he be wanted beautiful, beautiful only as a war god and crested not with peace, but with snakes. Peace is a long way round from him, and blood and ashes in between. So, with a less intimate perversity, I think, than that of Mr. Saint Gaudens's brilliant scheme, I would have had a Sherman of the terrible March (the "immortal" march, in all abundance, if that be the needed note), not irradiating benevolence, but signifying, by every ingenious device, the misery, the ruin and the vengeance of his track. It is not one's affair to attempt to teach an artist how such horrors may *be* monumentally signified; it is enough that their having been perpetrated is the very ground of the monument. And monuments should always have a clean, clear meaning.

HENRY JAMES.

(To be continued.)

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THE ORGANIZATION OF SCIENTIFIC RESEARCH.

BY SIMON NEWCOMB, LL.D., UNITED STATES NAVY.

THE claims of scientific research on the public were never more forcibly urged than in Professor Ray Lankester's recent Romanes Lecture before the University of Oxford. Man is here eloquently pictured as Nature's rebel, who, under conditions where his great superior commands "Thou shalt die," replies "I will live." In pursuance of this determination, civilized man has proceeded so far in his interference with the regular course of Nature that he must either go on and acquire firmer control of the conditions, or perish miserably by the vengeance certain to be inflicted on the half-hearted meddler in great affairs. This rebel by every step forward renders himself liable to greater and greater penalties, and so cannot afford to pause or fail in one single step. One of Nature's most powerful agencies in thwarting his determination to live is found in disease-producing parasites. "Where there is one man of first-rate intelligence now employed in gaining knowledge of this agency, there should be a thousand. It should be as much the purpose of civilized nations to protect their citizens in this respect as it is to provide defence against human aggression."

It was no part of the function of the lecturer to devise a plan for carrying on the great war he proposes to wage. The object of the present article is to contribute some suggestions in this direction; with especial reference to conditions in our own country; and no better text can be found for a discourse on the subject than the preceding quotation. In saying that there should be a thousand investigators of disease where there is now one, I believe that Professor Lankester would be the first to admit that this statement was that of an ideal to be aimed at, rather

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than of an end to be practically reached. Every careful thinker will agree that to gather a body of men, young or old, supply them with laboratories and microscopes, and tell them to investigate disease, would be much like sending out an army without trained leaders to invade an enemy's country.

There is at least one condition of success in this line which is better fulfilled in our own country than in any other; and that is liberality of support on the part of munificent citizens, desirous of so employing their wealth as to promote the public good. Combining this instrumentality with the general public spirit of our people, it must be admitted that, with all the disadvantages under which scientific research among us has hitherto labored, there is still no country to which we can look more hopefully than to our own as the field in which the ideal set forth by Professor Lankester is to be pursued. Some thoughts on the question how scientific research may be most effectively promoted in our own country through organized effort may therefore be of interest. Our first step will be to inquire what general lessons are to be learned from the experience of the past.

The first and most important of these lessons is that research has never reached its highest development except at centres where bodies of men engaged in it have been brought together, and stimulated to action by mutual sympathy and support. We must call to mind that, although the beginnings of modern science were laid by such men as Copernicus, Galileo, Leonardo da Vinci and Torricelli before the middle of the seventeenth century, unbroken activity and progress date from the foundations of the Academy of Sciences of Paris and the Royal Society of London at that time. The historic fact that the bringing of men together, and their support by an intelligent and interested community, is the first requirement to be kept in view can easily be explained. Effective research involves so intricate a network of problems and considerations that no one engaged in it can fail to profit by the suggestions of kindred spirits, even if less acquainted with the subject than he is himself. Intelligent discussion suggests new ideas and continually carries the mind to a higher level of thought. We must not regard the typical scientific worker, even of the highest class, as one who, having chosen his special field and met with success in cultivating it, has only to be supplied with the facilities he may be supposed to need in

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order to continue his work in the most efficient way. What we have to deal with is not a fixed and permanent body of learned men, each knowing all about the field of work in which he is engaged, but a changing and growing class, constantly recruited by beginners at the bottom of the scale, and constantly depleted by dropping away at the top. No view of the subject is complete which does not embrace the entire activity of the investigator, from the tyro to the leader. The leader, himself, unless engaged in the prosecution of some narrow specialty, can rarely be so completely acquainted with his field as not to need information from others. Without this, he is constantly liable to be repeating what has already been better done than he can do it himself, of following lines which are known to lead to no result, and of adopting methods shown by the experience of others not to be the best. Even the books and published researches to which he must have access may be so voluminous that he cannot find time to completely examine them for himself; or may be inaccessible. All this will make it clear that, with an occasional exception, the best results of research are not to be expected except at centres where large bodies of men are brought into close personal contact.

In addition to the power and facility acquired by frequent discussion with his fellows, the appreciation and support of an intelligent community, to whom the investigator may, from time to time, make known his thoughts and the results of his work, add a most effective stimulus. The greater the number of men of like minds that can be brought together and the larger the community which interests itself in what they are doing, the more rapid will be the advance and the more effective the work carried on. It is thus that London, with its munificently supported institutions, and Paris and Berlin, with their bodies of investigators supported either by the Government or by various foundations, have been for more than three centuries the great centres where we find scientific activity most active and most effective. Looking at this undoubted fact, which has asserted itself through so long a period—to-day more strongly than ever—the writer conceives that there can be no question as to one proposition. If we aim at the single object of promoting the advance of knowledge in the most effective way, and making our own country the leading one in research, our efforts should be devoted toward bringing together as many scientific workers as pos-

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sible at a single centre, where they can profit in the highest degree by mutual help, support and sympathy.

In thus strongly setting forth what must seem an indisputable conclusion, the writer does not deny that there are drawbacks to such a policy, as there are to every policy that can be devised aiming at a good result. Nature offers to society no good that she does not accompany by a greater or less measure of evil. The only question is whether the good outweighs the evil. In the present case, the seeming evil, whether real or not, is that of centralization. A policy tending in this direction is held to be contrary to the best interests of science in quarters entitled to so much respect that we must inquire into the soundness of the objection.

It would be idle to discuss so extreme a question as whether we shall take all the best scientific investigators of our country from their several seats of learning and attract them to some one point. We know that this cannot be done, even were it granted that success would be productive of great results. The most that can be done is to choose some existing centre of learning, population, wealth and influence, and do what we can to foster the growth of science at that centre by attracting thither the greatest possible number of scientific investigators, especially of the younger class, and making it possible for them to pursue their researches in the most effective way. This policy would not result in the slightest harm to any institution or community situated elsewhere. It would not be even like building up a university to outrank all the others of our country; because the functions of the new institution, if such should be founded, would in its relations to the country be radically different from those of a university. Its primary object would not be the education of youth, but the increase of knowledge. So far as the interests of any community or of the world-at-large are concerned, it is quite indifferent where knowledge may be acquired, because, when once acquired and made public, it is free to the world. The drawbacks suffered by other centres would be no greater than those suffered by our Western cities because all the great departments of the Government are situated at a single distant point. Strong arguments could doubtless be made for locating some of these departments in the Far West, in the Mississippi Valley, or in various cities of the Atlantic coast; but every one knows that any

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local advantages thus gained would be of no importance compared with the loss of that administrative efficiency which is essential to the whole country.

There is, therefore, no real danger from centralization. The actual danger is rather in the opposite direction; that the sentiment against concentrating research will prove to operate too strongly. There is a feeling that it is rather better to leave every investigator where he chances to be at the moment, a feeling which sometimes finds expression in the apothegm that we cannot transplant a genius. That such a proposition should find acceptance affords a striking example of the readiness of men to accept a euphonious phrase without inquiring whether the facts support it. The fact is that many, perhaps the majority, of the great scientific investigators of this and of former times have done their best work through being transplanted. As soon as the enlightened monarchs of Europe felt the importance of making their capitals great centres of learning, they began to attract eminent men of other countries to their own. Lagrange was an Italian transplanted to Paris, as a member of the Academy of Sciences, after he had shown his powers in his native country. His great contemporary, Euler, was a Swiss, transplanted first to Saint Petersburg, then invited by Frederick the Great to become a member of the Berlin Academy, then again attracted to Saint Petersburg. Huyghens was transplanted from his native country to Paris. Agassiz was an exotic, brought among us from Switzerland, whose activity during the generation he passed among us was as great and effective as at any time of his life. On the Continent, outside of France, the most eminent professors in the universities have been and still are brought from distant points. So numerous are the cases of which these are examples that it would be more in accord with the facts to claim that it is only by transplanting a genius that we stimulate him to his best work.

Having shown that the best results can be expected only by bringing into contact as many scientific investigators as possible, the next question which arises is that of their relations to each other. It may be asked whether we shall aim at individualism or collectivism. Shall our ideal be an organized system of directors, professors, associates, assistants, fellows; or shall it be a collection of individual workers, each pursuing his own task in the way he deems best, untrammelled by authority?

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The reply to this question is that there is in this special case no antagonism between the two ideas. The most effective organization will aim both at the promotion of individual effort, and at subordination and cooperation. It would be a serious error to formulate any general rule by which all cases should be governed. The experience of the past should be our guide, so far as it applies to present and future conditions; but, in availing ourselves of it, we must remember that conditions are constantly changing, and must adapt our policy to the problems of the future. In doing this, we shall find that different fields of research require very different policies as regards cooperation and subordination. It will be profitable to point out those special differences, because we shall thereby gain a more luminous insight into the problems which now confront the scientific investigator, and better appreciate their variety, and the necessity of different methods of dealing with them.

At one extreme, we have the field of normative science, work in which is of necessity that of the individual mind alone. This embraces pure mathematics and the methods of science in their widest range. The common interests of science require that these methods shall be worked out and formulated for the guidance of investigators generally, and this work is necessarily that of the individual brain.

At the other extreme, we have the great and growing body of sciences of observation. Through the whole nineteenth century, to say nothing of previous centuries, organizations, and even individuals, have been engaged in recording the innumerable phases of the course of nature, hoping to accumulate material that posterity shall be able to utilize for its benefit. We have observations astronomical, meteorological, magnetic, and social, accumulating in constantly increasing volume, the mass of which is so unmanageable with our present organizations that the question might well arise whether almost the whole of it will not have to be consigned to oblivion. Such a conclusion should not be entertained until we have made a vigorous effort to find what pure metal of value can be extracted from the mass of ore. To do this requires the cooperation of minds of various orders, quite akin in their relations to those necessary in a mine or great manufacturing establishment. Laborers whose duties are in a large measure matters of routine must be guided by the skill of a class higher

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in quality and smaller in number than their own, and these again by the technical knowledge of leaders in research. Between these extremes we have a great variety of systems of cooperation.

There is another feature of modern research the apprehension of which is necessary to the completeness of our view. A cursory survey of the field of science conveys the impression that it embraces only a constantly increasing number of disconnected specialties, in which each cultivator knows little or nothing of what is being done by others. Measured by its bulk, the published mass of scientific research is increasing in more than a geometrical ratio. Not only do the publications of nearly every scientific society increase in number and volume, but new and vigorous societies are constantly organized to add to the sum total. The stately quartos issued from the presses of the leading Academies of Europe are, in most cases, to be counted by hundreds. The Philosophical Transactions of the Royal Society already number about two hundred volumes, and the time when the Memoirs of the French Academy of Sciences shall reach the thousand mark does not belong to the very remote future. Besides such large volumes, these and other societies publish smaller ones in a constantly growing number. In addition to the publications of learned societies, there are journals devoted to each scientific specialty, which seem to propagate their species by subdivision in much the same way as some of the lower orders of animal life. Every new publication of the kind is suggested by the wants of a body of specialists, who require a new medium for their researches and communications. The time has already come when we cannot assume that any specialist is acquainted with all that is being done even in his own line. To keep the run of this may well be beyond his own powers; more he can rarely attempt.

What is the science of the future to do when this huge mass outgrows the space that can be found for it in the libraries, and what are we to say of the value of it all? Are all these scientific researches to be classed as really valuable contributions to knowledge, or have we only a pile in which nuggets of gold are here and there to be sought for? One encouraging answer to such a question is that, taking the interests of the world as a whole, scientific investigation has paid for itself in benefits to humanity a thousand times over, and that all that is known to-day is but an insignificant

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fraction of what nature has to show us. Apart from this, another feature of the science of our time demands attention. While we cannot hope that the multiplication of specialties will cease, we find that upon the process of differentiation and subdivision is now being superposed a form of evolution, tending toward the general unity of all the sciences, of which some examples may be pointed out.

Biological science, which, a generation ago, was supposed to be at the antipodes of exact science, is becoming more and more exact, and is cultivated by methods which are developed and taught by mathematicians. Psychophysics—the study of the operations of the mind by physical apparatus of the same general nature as that used by the chemist and physicist—is now an established branch of research. A natural science which, if any comparisons are possible, may outweigh all others in importance to the race, is the rising one of "eugenics,"—the improvement of the human race by controlling the production of its offspring. No better example of the drawbacks which our country suffers as a seat of science can be given than the fact that the beginning of such a science has been possible only at the seat of a larger body of cultivated men than our land has yet been able to bring together. Generations may elapse before the seed sown by Mr. Francis Galton, from which grew the Eugenic Society, shall bear full fruit in the adoption of those individual efforts and social regulations necessary to the propagation of sound and healthy offspring on the part of the human family. But when this comes about, then indeed will Professor Lankester's "rebel against Nature" find his independence acknowledged by the hitherto merciless despot that has decreed punishment for his treason.

This new branch of science from which so much may be expected is the offshoot of another, the rapid growth of which illustrates the rapid invasion of the most important fields of thought by the methods of exact science. It is only a few years since it was remarked of Professor Karl Pearson's mathematical investigations into the laws of heredity, and the biological questions associated with these laws, that he was working almost alone, because the biologists did not understand his mathematics, while the mathematicians were not interested in his biology. Had he not lived at a great centre of active thought, within the sphere of influence of the two great universities of England, it is quite

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likely that this condition of isolation would have been his to the end. But, one by one, men were found possessing the skill and interest in the subject necessary to unite in his work, which now has not only a journal of its own, but is growing in a way which, though slow, has all the marks of healthy progress toward an end the importance of which has scarcely dawned upon the public mind.

Admitting that an organized association of investigators is of the first necessity to secure the best results in the scientific work of the future, we meet the question of the conditions and auspices under which they are to be brought together. The first thought to strike us at this point may well be that we have, in our great universities, organizations which include most of the leading men now engaged in scientific research, whose personnel and facilities we should utilize. Admitting, as we all do, that there are already too many universities, and that better work would be done by a consolidation of the smaller ones, a natural conclusion is that the end in view will be best reached through existing organizations. But it would be a great mistake to jump at this conclusion without a careful study of the conditions. The brief argument—there are already too many institutions—instead of having more we should strengthen those we have—should not be accepted without examination. Had it been accepted thirty years ago, there are at least two great American universities of to-day which would not have come into being, the means devoted to their support having been divided among others. These are the Johns Hopkins and the University of Chicago. What would have been gained by applying the argument in these cases? The advantage would have been that, instead of 146 so-called universities which appear to-day in the Annual Report of the Bureau of Education, we should have had only 144. The work of these 144 would have been strengthened by an addition to their resources, represented by the endowments of Baltimore and Chicago, and sufficient to add perhaps one professor to the staff of each. Would the result have been better than it actually has been? Have we not gained anything by allowing the argument to be forgotten in the cases of these two institutions? I do not believe that any who carefully look at the subject will hesitate in answering this question in the affirmative. The essential point is that the Johns Hopkins University did not merely add one to an already over-

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crowded list, but that it undertook a mission which none of the others was then adequately carrying out. If it did not plant the university idea in American soil, it at least gave it an impetus which has now made it the dominant one in the higher education of almost every State.

The question whether the country at large would have reaped a greater benefit, had the professors of the University of Chicago, with the appliances they now command, been distributed among fifty or a hundred institutions in every quarter of the land, than it has actually reaped from that University, is one which answers itself. Our two youngest universities have attained success, not because two have thus been added to the number of American institutions of learning, but because they had a special mission, required by the advance of the age, for which existing institutions were not adequate.

The conclusion to which these considerations lead is simple. No new institution is needed to pursue work on traditional lines, guided by traditional ideas. But, if a new idea is to be vigorously prosecuted, then a young and vigorous institution, specially organized to put the idea into effect, is necessary. The project of building up in our midst, at the most appropriate point, an organization of leading scientific investigators, for the single purpose of giving a new impetus to American science and, if possible, elevating the thought of the country and of the world to a higher plane, involves a new idea, which can best be realized by an institution organized for the special purpose. While this purpose is quite in line with that of the leading universities, it goes too far beyond them to admit of its complete attainment through their instrumentality. The first object of a university is the training of the growing individual for the highest duties of life. Additions to the mass of knowledge have not been its principal function, nor even an important function in our own country, until a recent time. The primary object of the proposed institution is the advance of knowledge and the opening up of new lines of thought, which, it may be hoped, are to prove of great import to humanity. It does not follow that the function of teaching shall be wholly foreign to its activities. It must take up the best young men at the point where universities leave them, and train them in the arts of thinking and investigating. But this training will be beyond that which any regular university is carrying out.

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In pursuing our theme the question next arises as to the special features of the proposed association. The leading requirement is one that cannot be too highly emphasized. How clearly soever the organizers may have in their minds' eye the end in view, they must recognize the fact that it cannot be attained in a day. In every branch of work which is undertaken, there must be a single leader, and he must be the best that the country, perhaps even the world, can produce. The required man is not to be found without careful inquiry; in many branches he may be unattainable for years. When such is the case, wait patiently till he appears. Prudence requires that the fewest possible risks would be taken, and that no leader should be chosen except one of tried experience and world-wide reputation. Yet we should not leave wholly out of sight the success of the Johns Hopkins University in selecting, at its very foundation, young men who were to prove themselves the leaders of the future. This experience may admit of being repeated, if it be carefully borne in mind that young men of promise are to be avoided and young men of performance only to be considered. The performance need not be striking: *ex pede Herculem* may be possible; but we must be sure of the soundness of our judgment before accepting our Hercules. This requires a master. Clerk-Maxwell, who never left his native island to visit our shores, is entitled to honor as a promoter of American science for seeing the lion's paw in the early efforts of Rowland, for which the latter was unable to find a medium of publication in his own country. It must also be admitted that the task is more serious now than it was then, because, from the constantly increasing specialization of science, it has become difficult for a specialist in one line to ascertain the soundness of work in another.

With all the risks that may be involved in the proceeding, it will be quite possible to select an effective body of leaders, young and old, with whom an institution can begin. The wants of these men will be of the most varied kind. One needs scarcely more than a study and library; another must have small pieces of apparatus which he can perhaps design and make for himself. Another may need apparatus and appliances so expensive that only an institution at least as wealthy as an ordinary university would be able to supply them. The apparatus required by others will be very largely human—assistants of every grade,

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from university graduates of the highest standing down to routine drudges and day-laborers. Workrooms there must be; but it is hardly probable that buildings and laboratories of a highly specialized character will be required at the outset. The best counsel will be necessary at every step and in this respect the institution must start from simple beginnings and grow slowly. Leaders must be added one by one, each being judged by those who have preceded him before becoming in his turn a member of the body. As the body grows its members must be kept in personal touch, talk together, pull together, and act together.

The author submits these views to the great body of his fellow citizens interested in the promotion of American science with the feeling that, though his conclusions may need amendment in details, they rest upon facts of the past and present which have not received the consideration which they merit. What he most strongly urges is that the whole subject of the most efficient method of promoting research upon a higher plane shall be considered with special reference to conditions in our own country; and that the lessons taught by the history and progress of scientific research in all countries shall be fully weighed and discussed by those most interested in making this form of effort a more important feature of our national life. When this is done, he will feel that his purpose in inviting special consideration to his individual views has been in great measure reached.

SIMON NEWCOMB.

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MEXICO'S GREAT FINANCE MINISTER.

BY RAFAEL REYES, PRESIDENT OF THE UNITED STATES OF COLOMBIA.

JOSE IVES LIMANTOUR, Minister of Finance of Mexico, is one of the ablest financiers in the world. By this we mean that he is not only the equal of the foremost statesmen of Europe and America, but in many instances he is superior to some of those financiers, when their respective plans and works are examined from the standpoint of efficacy and success in practice.

This statement is neither the natural outcome of that legitimate racial pride we are prone to feel whenever the sons of Spanish America succeed in outranking all others in any of the branches of human activity, nor yet is it one of those hyberboles of which we are so fond because of our atavic predisposition, since the same blood flows in our veins which gave life to the immortal hero of Cervantes.

Europe and the United States, even before Spanish America, have sung the praises of the enlightened and able collaborator of Porfirio Diaz, Mexico's great President, whose fame is world-wide. Tolstoi, the eminent Russian writer, has recently stated that he considers the regenerator of Mexico a genius.

That isolation of the countries of Spanish America among themselves in which they lived as Colonies first, and, later on, as independent nations, has not only been injurious to the effective union which should have existed among them from the day of their emancipation, in order to preserve their integrity, but has also been detrimental to their interchange of thought. The contemporary states of Spanish America are mutually unknown to each other. Only a few of their men are known outside of their own country, these being military men, revolutionists, reformers and men who have held the highest position in their respective

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countries. Whereas financiers, for instance, and all such men as devote themselves with perseverance to successfully promote public welfare, those silent, constant workers who by the side of the Chief Executive solve the greatest administrative and political problems, and social, industrial and financial questions, are generally unknown beyond the boundaries of their respective countries. The same may be said of their literary men and artists.

This is, undoubtedly, a drawback to the brotherhood and development of countries having a common origin, speaking the same language, whose sociological conditions are more or less identical, which have the same problems to solve, and which could profit by the lessons taught them by experience, applying these lessons to a number of similar cases which have to be dealt with every day. These lessons might well be taught by them to more advanced countries, which have succeeded in establishing themselves on a solid basis.

With this object in view, and within the limits of an article, we shall endeavor to give a brief sketch of the work done by José Ives Limantour in Mexico. He is better known in Europe and in the United States than in South America, and is frequently quoted as an authority on financial matters. His reputation as a financier is equal to that of Rouvier, Harcourt, De Witte, Villaverde, and Magliani, foremost financiers of the Old World, whose names, far from being unknown, are household words. Limantour adds to a theoretical knowledge of the science of Leroy-Beaulieu the practical knowledge, the tact, the accurate judgment, which enable him to apply his theoretical knowledge in a fitting manner to bare facts so as to elicit their significance. He is the possessor, in a high degree, of the virtues which are lacking in the restless and turbulent Spanish-American mind, patience and constancy.

Limantour began to direct Mexico's finances under the most unfavorable circumstances. The national currency, the silver peso, had declined to 64 cents, while the exchange rose in proportion. The principal export article of the country being silver, it is easy to understand how deeply this financial depression affected its commercial value. These conditions were similar to those which are affecting Colombia at present, because of the fall in the price of coffee. Mexico's crisis was as critical as it was alarming. It was necessary to solve the monetary problem as well

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as the problem of production. What was the destiny which the future held for Mexico? Should Mexico become an agricultural or a manufacturing country, or both agricultural and manufacturing at one and the same time? The solution of these vital problems fell to Mr. Matias Romero, one of the most eminent Mexicans, a companion of Juarez, and upon his Assistant Secretary, Mr. José Ives Limantour, who took charge of the finances of the Mexican Government in May, 1892.

Limantour was subsequently left in full control of the most important branch of the public service for twelve uninterrupted years, and the success of his work has been even beyond the high reputation that he enjoys at present as a financier. His work, we may well say, has been crowned with success and has indeed been a portentous one. It has been the result of untiring labor and the union, in a loyal and honest bond, of two superior minds devoted exclusively to the good and glory of their fatherland. These great minds are Porfirio Diaz and Limantour. The latter has understood and complemented the genius of his illustrious chief. During the last year Limantour has fittingly crowned his work, the financial regeneration of Mexico, with a series of acts the results and scope of which are not only favorable to his own country, but to all Spanish America as well.

We recommend thinking men, and especially statesmen, to study in this connection the work of Mr. P. Macedo, under the title of "*Tres Monografias*" (Three Monographs), the reading of which led us to write these lines. Among the most signal services of Limantour was the purchase by the State of railroads, in order to save the interests of commerce menaced, as they were, by high tariffs. For this purpose he had to disburse $30,000,000 and contract a loan of $40,000,000, under conditions as advantageous as those which might be granted to England, France and the United States. This is a feat without precedent in the financial history of Spanish America, being, besides, of immense importance for all its countries, as a most eloquent proof that they may obtain as good credit as that of any of the greatest Powers in the world. The most important task of Limantour, however, was the great reform brought about in the old monetary system, the depreciation of which we have shown above. A study of such intricate questions requires more than the space allowed by an article, and that is why we refer our readers to Mr. Macedo's work.

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Mr. Limantour is not only a great financier, but also a man of classical and scholarly education; he is proficient in dead and foreign languages, speaking the latter as if they were his mother tongue; he is a jurist of remarkable ability, having made a profound study of comparative legislation. He is a worker of the school of Porfirio Diaz, that school where one works while the majority of men either sleep or amuse themselves. Notwithstanding the fact that he has inherited from his parents one of the largest fortunes in the country, he has been from his youth, and still continues to be,—now that he is in the plenitude of life and strength, not having yet reached his fiftieth year,—an indefatigable worker, of the kind that like to fight with their own weapons in the struggle for life.

To the school of Diaz and Limantour belong also their fellow countrymen Ramón Corral, the present Vice-President; Joaquín Casasus, a jurist, statesman, poet and famous Latin scholar; Luis Camacho, Fiscal Agent in London; Pablo Macedo, Alfredo Chavero, Sanchez Marmol, Fernando Pimentel y Creel, bankers; Sebastian de Mier, Minister to France, and many others whose names escape our recollection. But far above them all towers the personality of Porfirio Diaz, the illustrious statesman, who after many years of devoted and heroic services has succeeded in transforming his fatherland, which he found exhausted, impoverished and bleeding through civil war and brigandage, harassed by political anarchy, weakened by disorder, its territory curtailed, without credit abroad, its agriculture and industrial wealth in their cradle, and having an insignificant railroad mileage. At the present day, the railroad lines have a length of 20,000 kilometers. Mexico at that time presented the appearance of a splendid tropical forest devastated and consumed by fire. But as the earth gratefully receives, after the flames have scorched it, the seed that will fertilize it, so Mexico, after a series of great mistakes and faults, found its redemption in Porfirio Diaz, who, with a sure, just and firm hand, has weeded the land, preparing it to receive and properly develop the seed of civilization.

The example of Mexico is and should be a model to be copied by those Spanish-American nations which have not succeeded so far in solving in a stable and permanent manner the problem of public peace, which of necessity is linked to the economic and

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financial problem. The truths contained in both of these assertions are correlative, viz.: "Give me a sound policy, and I will give you sound finances;" or "Give me sound finances, and I will give you a sound policy." The goal, the main ideal, of the Chief Executives of the Spanish-American states should be the preservation of peace. Political disturbances which ultimately degenerate into armed revolutions prevent the development and growth of those social organisms which are called upon to play such an important rôle in the destinies of humanity. President Diaz's work is not the work of an ordinary soldier, as claimed by the extreme radicals and the flashy rhetoric of inveterate agitators. On the contrary, it is preeminently a work of civilization and progress, based upon justice, and staunchly maintained by a large group of distinguished men who will continue it the day Porfirio Diaz ceases to be President. Such is the conviction held in the political and financial centres of Europe and the United States. Otherwise, they would not have made the loan of $40,000,000, knowing that Porfirio Diaz is seventy-five years old.

Credit is the surest barometer to measure the degree of responsibility and solidity of nations. For this reason, all countries, with the exception of those eagerly engaged in the sport of civil wars, endeavor to maintain their national credit as zealously as their national honor.

It was thus understood by the author of this article; and that explains why, in the midst of the greatest economical and financial crisis ever experienced in Colombia during that country's hazardous and restless independent life, the Government over which he presides reassumed, and guaranteed for five years, the payment of the overdue interest on the Colombian Foreign Debt, which had been in arrears for over twenty years. This was accomplished by him in his capacity as President of the Republic, using the country's own resources, without having had recourse to credit, as credit, before being used, should be established on a sound basis of order, good administration and an honest financial policy.

As in the case of Mexico, credit will come in due course, because credit, like all other moral agents, cannot be suddenly or violently established, but must be attained through a continued orderly and intelligent exercise of the national virtues called honesty, application, faithful discharge of contracted obligations, respect

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for the pledged word of the nation through its government, and, above all, justice.

But, as in the case of Mexico, which, after long years of civil wars resulting in such a state of anarchy that it even appealed to a foreign ruler and lost for a time a portion of the country's territory, was able to crown last year its financial regeneration, while its political regeneration was accomplished some time ago, so Colombia must expect to attain, in some future day, the goal toward which the country now earnestly strives. We have a right to expect it, as the work which the author of this article has undertaken, as President of Colombia since August 7th, 1904, is neither solely his own work, nor yet that of any political party, but the work of all Colombians who, tired of fratricidal wars, having before their eyes the lesson of the dismemberment of the fatherland, have had the good sense and the civil courage to break away from the nefarious traditions of party hatred, in order to unite all in aiding in the reconstruction of the home country. We must, however, have both faith and constancy. We must be convinced that such high ends cannot be attained in a day, and that social as well as individual organisms must perforce go through a critical period before entering into the full and free use of their powers. The era of empty wordiness is gone forever, and it is necessary to teach the young generation this maxim of Challemel-Lacour: "*Agir, c'est le complement de penser.*"

RAFAEL REYES.

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THE INDIAN'S YOKE.

BY FRANCES CAMPBELL SPARHAWK.

WHAT concerns us to-day is to find out what is the matter with the Indian, what keeps him from assimilating with his surroundings, why we cannot absorb two hundred and fifty thousand Indians into all our millions and never know where they are, any more than we can give the whereabouts, racial or national, of the thousands upon thousands of immigrants who come yearly to our shores, some of whom in coming know little, if any, more of civilized life than the Indian. We have treated our immigrants in the American way, a method that for liberality and kindness and success has no parallel. With the Indian we have been quite different. It is time to ask why the peoples of all other nationalities and races at once grow into manhood on our shores, while the native American bears the stigma of perpetual childhood. What yoke is the Indian bearing which stunts his natural growth? Why are all other peoples men, and why is he not a man?

To make the question still more pertinent, there are fifty-eight thousand Indians living now among white people, supporting themselves, welcomed by their white neighbors and at ease in regard to the race problem which for them has been settled in the American way, as it always is for individual Indians; these are in their natural surroundings, the places to which business or inclination has directed them. It is only the abnormal, reservation Indians, neither savage nor barbarous according to their original condition, nor allowed to grow into civilization naturally and wholesomely, with whom we are concerned.

The reservation system in its inauguration was a makeshift. "I don't want to have meat thrown to me as to a dog," said a proud Indian whose education had taught him something better.

We should have had sympathy for the occasional breakings

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forth of the Indians from their reservations as long as the war-path was open to them. For, if the most delightful city in America were to be walled up to heaven and the inhabitants told that they *must* live in it, that city would immediately turn into a hotbed of rebellion, and the rest of the land would applaud. General Morgan said rightly that Indian nature was "human nature bound in red."

Imagine everything opposed to all that is American or modern in detail, and especially in principle, and you have an Indian reservation. Go through the streets of a city, wire your business partner at the other side of the world, send a wireless message from mid-ocean to shore, talk through the telephone a thousand miles as if to your next-door neighbor, then consider what the superintendent of an Indian school on an Indian reservation said a few years ago in gratitude for illustrated papers sent to the pupils: "These children have no means of knowing what civilization means except through the pictures of it." What an expensive way of educating, and what necessarily meagre results!

Use the liberty of an American citizen with voice and pen, guide your own affairs in your own way, wisely or foolishly, and stand up and take the consequences, do all those things by which, through storm and sunshine, victory and defeat, one fills out the measure of a man. Then go to an Indian reservation, where there is no American law, but only the rule of an Indian agent, a despot whether cruel or kindly. "It is absurd to talk of teaching an Indian farming," writes a philanthropist who has long been familiar with peculiar conditions on certain reservations; "Indians can teach us. Only Chinamen would work such barren patches as they plant; the white man never tries such painstaking agriculture." But the white man has the land before him where to choose. "When Government gives a new reservation," the writer goes on, "it hampers their individual freedom and initiative in every way, substitutes paternal methods, keeps them in tutelage as now at ——. If each man had his own land, he could work it as other men do."

Thus, by the substitution of other men's rules for his own experiments, of others' views for the sight of his own eyes and the hearing of his own ears—keener eyes and ears than the white man's—of another's will for his own power of choice by which alone he can grow into strength, a power of choice conceded in

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every free country except in America on an Indian reservation —by all these methods directly contrary to those so successful with our own citizens and with foreigners, do we assume to build up the spirit and strength of American citizenship in the Indian. In this experiment we have learned nothing from the lessons of the ages, nor from our struggles for freedom; we work not at all by natural methods, but by a system compared with which the archaism of the feudal system is modern and applicable. We hold the Indian to be different from every other creature who ever lived in this land or set foot upon these shores. Why?

A generation ago, what did we know about Indian reservations? Distance, language, training, everything separated Indians and us; and the reservation walls closed them into huge prisons. To us they were not fathers and mothers, young men and maidens, little children and old men, but "hostiles," savages. Indian education was a vague and unimportant question, a matter of the indefinite future, until a significant incident of the seventies brought it into sudden and ever-increasing prominence.

In 1875, Lieutenant (now General) R. H. Pratt, of the Army, was sent by the War Department with seventy-four Indian prisoners, taken red-handed in war, to the old Fort Marion at St. Augustine. Heavily ironed, they were put upon the train and carried from the country which they had dared to think belonged to them the long journey to Florida. What a revelation the prosperity of the white man's land must have been to them! What could border warfare avail in a struggle with him as they saw him now? Whatever their reflections, despair was at the bottom of them; on the way they sang their death-songs, and one chief succeeded in escaping the white man's expected tortures by suicide.

But when in the old fort at St. Augustine the irons were stricken from their limbs and they were told that they would be treated according to their future good behavior, they were amazed; such a foe was beyond their comprehension.

Said Captain Pratt in his report of these Indian prisoners:

"I soon dispensed with the military guard and trained them to guard themselves, which they did for two and a half years with absolute trustworthiness. They were put to work. Not only were they taught and occupied within the walls of the fort, but a considerable number were placed out at various forms of labor, such as two in a sawmill,

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one as baggageman on a railroad, a number as orange-pickers, others at rowing and sailing boats for tourists, while five accomplished a job of grubbing five acres of dense palmetto land which negro laborers, though well paid, had twice abandoned. Such was the success of this work that a protest to Congress from the laboring element of the community was made because of the competition resulting."

He opened a school for his Indians, and the ladies of St. Augustine volunteered as teachers. So, by labor, by discipline, by instruction, by kindness, by amusement, by religious teaching emphasized by the treatment they were receiving, the time was made profitable to those Indian prisoners at the old fort.

When the three years of imprisonment came to an end, the young Indians had so much enjoyed their experiences that they begged to be allowed to stay at the East and be educated.

This, we know, was not only the beginning of the Indian contingent at Hampton and the occasion for the opening of the famous Carlisle Indian school; but its reflex action opened reservation and non-reservation schools all over the West. And when General Morgan became Commissioner, the Indian schools of every class were revised in curriculum, improved in personnel and increased in number. His administration was an advance in Indian education.

The experiment at St. Augustine had proved that Indians fresh from savagery can and will work, under proper conditions, so effectively as to enter into successful competition with white labor. But such conditions must be present. Even Mr. Rockefeller, with his colossal financial ability, could never have built up the Standard Oil business on an Indian reservation.

At the same time that millions of white youth are being educated in the schools of the country, thousands of Indian youth are being taught the rudiments of literary knowledge, and trained in manual work, trades and occupations. The white youth graduate and return to their homes, and thence go forth to their life-work. These enter immediately into a world of action made ready for them, and requiring their most strenuous efforts to keep their places in it. Parents, friends, teachers, employers, competitors, all nerve them to constant and progressive action. Everything around them stimulates them. If they pause, if they are indolent, the tide of work and progress sweeps by and leaves them stranded. It is not what they have learned in school that

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makes men of them, but the relentless necessity of continued work along the lines of their training.

And the Indians? They go back to their reservations. These are scattered in more or less extended tracts throughout many of the Western States. They vary much in climate and in the degrees of civilization of the inmates; most of them vary little in industrial conditions. Early in 1905 an agent's wife wrote:

> "The greatest need of our people is work, and they must be helped into it. They are now taught at all the schools to do something; but, when they come back to their homes, there is really nothing for them to do. People so far away think they should work in their homes to better the condition of the family to which they belong; but we who see them and know something of the real life in the home have the greatest sympathy for them."

Indians are always considered in the mass. At one time it was decided by the Government that farming was the thing for the young Indians. But, when these went home full of high hopes, they often had to wait one, two, or even three years to receive from Government the wherewithal to stock their farms. They had no money, or no chance to earn any—on their reservations. We know what it would mean for a young white man to lounge around two or three years after leaving school.

And, the Government having decided that Indians should be farmers, some have small opportunity. The Commissioner's report for 1903 gives interesting items in regard to the land of one tribe divided into many groups. One group it marks "desert land, subject to intense heat, little water for irrigation"; another, "desert land, intense heat, water in abundance." So it goes on down twenty-seven groups, one marked "almost worthless for lack of water, allotted." Fourteen of these groups are recorded as having "no water," or "little water"; much of the land is marked, "desert," some "mountainous," "stock land," "very little farming land." The settlers have succeeded in getting these Indians upon land too bad for themselves, and some of it, on mountain tops, can be depended upon to furnish regularly only one crop—snow.

Yet, even here, the Indian shows a courage and vitality that should move us to take off his disabilities. The men travel fifty and even sixty miles in search of work, in most instances being obliged to leave their families to shift for themselves meanwhile.

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The Indian women have always been workers, although in the desultory labor of barbarous life. But now they welcome an industry started among them, and tell the teacher of it that no one ever helped them so much before. "I have taught about one hundred women to make lace," writes this missionary. "I wish you could see the great improvement in the homes of these lace women and in their personal appearance." Poor creatures, they feel the uplift of hope!

This is one of the lace schools for Indian women founded by Miss Sybil Carter and her followers; there are a number scattered through the reservations, and the women have welcomed them with eagerness and have done fine work.

The superintendent of an Indian school writes in July, 1904:

"I have made about two hundred thousand bricks with Indian labor since the school plant was established. When the large school building was erected the Indians did the excavating, quarried the stone and helped lay it for the first story; they hauled the sand, helped burn the lime and attended the masons; they also did a great deal of the painting. Last year I paid out five thousand dollars for the Government for Indian labor; they worked the roads, did excavating, quarried and hauled stone and did many other kinds of work and earned the money as well as the average white laboring man. We have a very respectable building in the school plant built entirely by Indian labor."

Missionaries who have inaugurated a most successful industry on the same reservation write:

"Our beadwork business is fine, pushing us instead of our hunting for markets. We are building a home for the manager and have money on hand for it; are returning our capital steadily and will soon have plant and business free from debt."

An employee upon a reservation writes:

"I have tried to find a sale for the work of our women, their own work. One old Indian—an old chief—makes bows and arrows and does it well. He will make all he can sell. I have not been able to keep him busy. I think it is very encouraging to find some of the old ones who will work steadily at anything they can do."

An old Western railroad contractor tells the story of a strike on one of his roads which threatened not only great loss of time, but other disasters. In his extremity he went to the Navajo Indians at hand, and hired two hundred of them at the same rate of wages he had been paying the men who struck—two dol-

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lars a day. The Indians took hold and built the road as well as the strikers would have done. Then they went back to their reservation.

"The fallacious idea of bringing the Indian into civilization and keeping him there was made too prominent," says the Commissioner's report for 1904.

"Saxon and Norman and Dane are we,"

sings Tennyson of our ancestors. And we have been keeping up that policy of political assimilation ever since. This idea quoted above in regard to the Indian is openly borrowed from our successful practice. Why is the "successful" in regard to other peoples "fallacious" when it comes to Indians? "Some schools industriously taught that all Indian reservations were bad," continues this report. It must have been up-to-date schools which taught this doctrine, because at Mohonk Conferences, and all other gatherings of Indian workers, the burning question about Indian reservations has been, "When can they be abolished?"

As to the Indians East and Indians West, there never was any question at all of East and West in themselves, but wholly of reservation and non-reservation influences. All over the country, success in Indian work has come only in proportion as this programme of outside influences has been followed out. Says the Indian Bureau:

"Many white communities around Indian allotted reservations, or 'sandwiched' among them through purchases of inherited lands, fail to coöperate with the Government in holding up the hands of the educated Indians who have become in the eyes of the law their equals. They appear to be unwilling to protect him so long as the Indian has lands to sell or annuities with which to buy."

"A fair trial of twenty years has been given this theory (of Eastern education) and the paucity of results is amazing," the report, 1904, goes on. Now, a steady rise in Indian educational appropriations means a steady rise in public opinion as to the need of them. Before the advent of the Eastern schools, these annual appropriations were, approximately, $20,000. In 1904, they were $4,000,000. Give us a few more results of similar "paucity." Before the day of Eastern schools and the general knowledge of Indian matters that these brought the public, we were all a good deal like the lady at the Hampton school who,

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when she saw the well-clad children of the red man marching in line, exclaimed, "Why, are these the Indians? Where are their feathers? I don't see any paint." Or, like the visitors at the Carlisle school who, watching the children at play on the grounds, remarked that they laughed just like other people! To us the Indians had remained "hostiles"—strangers, if not foes. But at the schools we saw the children, and our hearts melted. The Indian children before our eyes, and our own perception of their possibilities, have changed our point of view.

With better thoughts came better work. Indian societies grew, and demands for the Indian gained new force. The Indians and we began to get acquainted.

It was very interesting to see, a dozen or more years ago, a young Japanese graduate of one of our colleges stand on the rostrum of an Indian school and claim these Indian pupils as kin to his own race. What does not Japan owe to her practice of sending forth her young men and women to learn how the rest of the world lives?

Another "paucity of results" following the opening of the Eastern schools has been the immense spread of the English language among the Indians, and the consequent opening up of the reservations to the inspection of visitors interested in the cause. From this has come the general cry of friends of Indians for work upon the reservations. The visitors, in their very clothing, have swept in somewhat of the air of American liberty; and the Indians, neither stupid nor indifferent in their search for something better than they have known, have begun, even the poorest of them, to ask: "Why does not Washington send us schools for our children such as the Indians have in other places? Aren't we as good as they? Don't we need them as much?"

It is the reservation Indian whom the white man everywhere detests. But the white man quite takes to the Indian freed from the reservation yoke and walking like a man and a brother. When the Apache Indian prisoners in Alabama were found to be suffering from the climate, and it was mooted that they should be removed to some other locality, State after State sent in its protest against receiving them. At this very time, farmers and householders in the towns around the Carlisle school, hiring the Indian pupils on the outing plan because these rendered good service, were writing to the school, "If you can, send me an Apache."

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The reservation Indians, hanging about the Southwestern trains and vending their wares to travellers, are not attractive specimens of their race. But a Pueblo young woman, the protegée of a Government Indian worker, was asked and welcomed into a select circle of young white women in her town. A number of years ago, the principal of the Girl's High School in Boston wrote of two Indian pupils:

"The very happy relations which seem to subsist between the Misses C—— and their classmates have suggested to me the query, whether any more effective way of teaching Indians and white people to know and respect each other can be devised than the experiment you have tried of bringing young people from the Indian tribes into school association with whites of their own age and sex. Certainly, no more effective way could be devised of disarming the next generation of prejudice against the Indians, and substituting in its place a genuine sympathy and interest. If, in the course of your work, you should hereafter meet with other Indian girls like those now here, I should not think the obligation all on one side if you should place them with us to be educated."

Mrs. Charles Eastman (Elaine Goodale), the wife of the famous Indian physician and author, wrote in 1894:

"My experience of reservation life has been considerable; and I am fully convinced that, so long as it exists, the escape of the *individual* Indian into a freer environment is his own salvation, and, indirectly, the best thing for the rest of his people. I regret very much that missionaries and other well-meaning persons should *urge* it as a duty upon educated Indians to 'go back and help their tribe.' I think many would probably join a civilized community, if not constrained and hampered in their convictions by those who have assisted them to obtain an education. Cannot people be made to see the unfairness of doing this?"

The following year she wrote:

"I am growing to feel more and more strongly that it should not be taken for granted that they [the Indians] are to go back to the tribes, but rather the contrary, and that 'missionary work' should not be urged upon them. If any feel really moved to do it, well and good; but I am convinced that, in a majority of cases, there is an unworthy motive beneath all this talk of 'helping my people,' that sounds so well and that they get to feel is expected of them. If an educated Indian can get some sort of salaried position among Indians, it is an easy solution of *his* problem. I want to see more manly, helpful lives lived wholly independent of race applications."

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Speaking of their own family life in the community, she says:

"Absorbed in domestic and social interests, the race problem occupies but little of my thought at present. My best wish for all Indians is that they should come out and do likewise."

"When he returned to his Western home," says the Commissioner's report (1904) of the Indian student, "he was so frequently filled to overflowing with a sense of his own importance that the fall to the old barbarism was easy." But this being "filled with a sense of his own importance" is not peculiar to Indian young people. Dame Nature loves youth; she foresees that, in striving to hold his own against maturity armed with wider knowledge and better skill, he will receive many a downfall before the final triumph; therefore, she has bestowed a genial padding of conceit, by means of which she secures for him that elasticity which, after every overthrow, brings him to his feet again ready to continue his fight against odds. We hear nothing about conceit in the Indians among the white girls in the high school, nor in the supervisor's protegée who has to hold her own with the consciousness that her companions have had more advantages than she. Nor has Dr. Eastman, Sioux Indian as he is, been charged with holding his splendid talents in too high esteem. Nature does not intend that youth shall be sent out among people who do not know as much as itself does. If the Government decided after educating the Indians to send them back to their homes—no, their homes were not the trouble, all students return to their homes if but to start out from there—but to send them to reservations, why did it not fill these places with work, in order to give the young people a chance? Why did it not set the parents at work? For industry is the bridge over which nations and races and ages pass to one another.

What work there is to-day, like many another gain, has come at the urgent call of philanthropic Indian societies and individuals. It is believed that the first exhibit of Indian industries in the country was held in Boston in 1891 by a department of the National Indian Association, and exhibited largely the work of the schools—among this, exquisite lace work.

"Necessity, if not justice," says the Indian Bureau (1904), "has decreed that the Indian must live, for years at least, on these Western reservations and allotments, and he should not get out of touch with his kindred."

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Why *must* he live there? Our richest men come from poor country homes; they frequently, and it is to be hoped always, put their parents into comfort, and not seldom they do much for their native towns. But not one of them ever yet did this by getting abroad into the very beginnings of his work and then deserting all his hopes and aspirations in order to live next door to his parents, to help his townsmen. Archimedes believed he could move the world—but not on a short lever. These are the days of long levers. In this age of lightning expresses and ocean greyhounds, and telegraphs and telephones, how funny it sounds to say that one must sit down next door to his parents to keep in touch with them. That idea is a product of the Indian reservation; and the urgency of it lies in the fact that, if it do not conquer, the reservations must go; they can never hold their own against young Indians educated among white men. "I leave magazines and papers in the room where there are three or four policemen on duty at the office," writes the wife of an Indian agent, "and everything is taken up greedily. I am surprised. I would like to have a copy of Booker Washington's 'Up from Slavery' to give to them. I think it would be a great help to a number of our mixed bloods who would read it."

What an obligation Mr. Carnegie would confer on a race if he would only scatter libraries among these young Indians—not large or expensive libraries; and the Board of Indian Commissioners might well secure the placing and oversight of these. No beautiful buildings would be erected to hold these libraries, and no statue would commemorate the giver. But struggling youths would hold his memory in their hearts, and his gifts would put into their hands books of inspiration to strenuous living and a knowledge of how to help others of their race. They are the ones to do it. And they will do it, if we give them the chance—they will do it in the concrete. No Indian may be able to help his tribe as a whole; but every successful Indian may do something for his parents, his brothers and sisters—to say nothing of the dynamic force of his example.

A yoke may be gotten rid of in two ways; it may be lifted off, or those who bear it may get away from under it. The yoke of the Indian reservations is pressed down by the weight of nearly fifty-five hundred employees of the Indian Bureau, over two thousand of whom are Indian, seven hundred of the latter

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being policemen. Among this army are as devoted men and women as ever labored for the elevation of a race; but these, while doing their best, know that the Indian would fare much better under other conditions. And the fact remains that this army of workers, with its backing of Senators and Representatives and friends, and henchmen of the same, and intrenched in the fort of the Indian Bureau, is the real cause why the Indian must be bent under a weight which keeps him from an outlook over the American continent, why Indian young men must be told where they must live, as no other young men in America are told, and why the law of the land is too good for Indians.

It takes faith in civics to meet a political condition where men are put to attend to other men in the certainty that when these latter become sufficiently informed, the occupation of the former will be over and they will be turned adrift. Such a system has every temptation to perpetuate itself. This is the Indian Bureau—the Indian problem. It has been too much for many good men in it and under it.

But hope comes through the strength of President Roosevelt, once Chairman of the Civil Service Commission, and of our Indian Commissioner, Mr. Leupp, with his fine record of Indian work. Under their administration civil service will become civic service—the power of turning men into citizens. Indian workers will be called upon to produce definite results. Our builders of Indian citizenship have been largely working "by the day."

Mark promptly individual effort in the Indians; encourage, steady and reward it. Give intelligent work of every kind some badge of distinction. "Indians are mechanical," said General Armstrong. They are also artistic. Indian blankets and basketry long ago won fame. The Indians need, most of all, the help of hope and inspiration. Let them grow into citizens under the law of the land, as other men do. Take off the cramping reservation yoke.

FRANCES CAMPBELL SPARHAWK.

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STATE INSURANCE IN NEW ZEALAND.

BY W. P. REEVES, HIGH COMMISSIONER OF NEW ZEALAND IN ENGLAND.

It is many years since the Government of New Zealand embarked in the business of insurance. That is literally what it did. More than one branch of State Insurance is in full operation in the colony. But, when I speak of State Insurance, my readers must not expect any such vast national schemes of compulsory and organized provision against sickness, accident and old age as are to be found at work, more or less successfully, in Germany, Austria, Belgium and elsewhere. There is an Old Age Pension Law in New Zealand, but it has nothing to do with Government Insurance. There is a Workmen's Compensation Act, similar to the well-known English statute; but the connection of that with the Department of State Insurance is purely voluntary. State Insurance in New Zealand simply means that the Government has set up three offices dealing, respectively, with the business of life-insurance, accident-insurance and fire-insurance. The fire-insurance office, which is the youngest of the three, has no connection with the other two. In no case does the Government seek to establish any monopoly. All three offices compete on equal terms in the open market with private companies engaged in insurance. And so far has the entry of Government into the business of insurance been from extinguishing private enterprise that the latter has advanced, developed and prospered alongside of the growth of the Government establishments. This is the more remarkable because, in one respect, the Government does not try to do business on business principles: it does not attempt to make any direct revenue out of its insurance offices. It is satisfied to incur no loss on them, and to see that their methods and assets are sound enough to bear the strictest

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actuarial investigation. After solvency has been assured and the actuaries satisfied, profits fairly remaining for distribution are divided among policy-holders.

Of the three branches of Government Insurance the most interesting is that of life-insurance, because that has had much the longest career and is able to show results which place it beyond serious criticism. The branch which offers least scope for comment is that of accident-insurance. The Fire-Insurance Office represents the youngest, most venturesome and most bitterly attacked of the three experiments.

To speak first of life-insurance. For its origin we have to go back to the day of small things, and to a very dark hour in the story of the colony. In the year 1869, the population of New Zealand, which is now 920,000, was under a quarter of a million. This scanty number had been fighting with the native tribes, not always successfully, for some nine years. The price of the settlers' one important export—wool—was ruinously low. They had managed to run up a public debt of nearly seven millions, and for this sum had comparatively little to show in the way of development or tangible assets. It was not a moment when they might be expected to dream of venturing into unknown waters, or of new conquests for State enterprise. Yet that was the moment chosen by the active brain of a Jewish politician for inducing the New-Zealanders to launch out into State Life-Insurance. Mr., afterwards Sir, Julius Vogel persuaded the House of Representatives to vote for a resolution involving the creation of a State Life-Insurance Office. Vogel was no socialist, nor indeed a disciple of any special cult or theory. He was a financier, and a venturesome one at that. But, looking round him in New Zealand in 1869, he saw no life-insurance company fully established in the country. Several English and Australian companies had agencies in the colony. Policies might be taken out with them, but each transaction had to be referred to headquarters in Australia or England, and might be disallowed there. Moreover, premiums and charges were high. New-Zealanders, as results have shown, were and are people more than usually inclined to the prudence which takes the form of insurance. But the capital, population and organizing force required to enable them to found a strong private insurance society did not exist among them in 1869. So Vogel, though only a simple member of an Opposition,

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found no difficulty in carrying his resolution invoking the intervention of the State. Indeed, Sir John Hall, afterwards leader of the New Zealand Conservatives, supported him. When, shortly afterwards, Vogel became Colonial Treasurer, he had no difficulty in passing an Insurance Act and setting up a Life-Insurance Office. In 1870, then, this institution began its career. So tentative was the experiment that the framers of the original statute had not troubled themselves to make provision for the distribution of profits. But though rates, fees and charges came down, profits, and very considerable profits, accrued; and, by 1874, it was necessary to pass an Act dealing with them and also to extend the powers of the Insurance Office and expand the scope of its transactions. At the end of the first year of its life, the sum assured in the office was a little over £200,000. In five years, it was not far short of two millions, and, at the end of ten years, was approaching four millions and a half. Its twentieth year saw the sum assured in it exceed seven millions and a half, and at the end of 1904, nearly thirty-five years after its birth, the total had grown to more than ten millions and a quarter. The policies in force numbered 44,194. As already mentioned, this large business has not been gained by the exclusion of private competitors from the field. The Government Office does nearly, but not quite, half the life-insurance of the colony. Its chief rival is that wealthy and admittedly well-managed institution, The Australian Mutual Provident Society. The New York Life Insurance Company and the Equitable Life Assurance Society of the United States both do business in the colony, though in a small way.

The Government Life-Insurance Office is a department of the public service, managed by an officer called the Commissioner, who is a Civil Servant. This gentleman's staff and the methods by which the business of his office is conducted are virtually those of an ordinary private insurance association. It is true that the salaries and office expenses of the department are voted annually by Parliament; its accounts are audited by the Government auditor; its balances have to be kept at the bank at which the Public Account is kept. Moreover, the Commissioner has to lay before Parliament an annual report, account and balance sheet. But in the management of the Department's Insurance business there is virtually no ministerial control or political interference. The Commissioner is not a mere departmental secretary, with a min-

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ister over him; he performs statutory duties and rules his office. And, inasmuch as the Government makes no direct profit out of the life-insurance business, the institution is, for taxing purposes, treated as though it were a private corporation. It pays land tax and income tax, and in this way contributes £9,000 a year to the revenue.

Independent as the Commissioner is in the management of ordinary insurance business, there is a branch of his department's affairs in which he is subject to control. This relates to the investment of the very considerable funds now in his hands. These have accumulated until, at the end of 1904, the assets of his department amounted to £3,761,000. There is an impression abroad that nearly the whole of this sum has been borrowed by the New Zealand Treasury. That is not the case. Nearly two millions of it are invested in mortgages on freehold property. Loans to policy-holders represented last year £660,000, and a substantial sum had been lent on the debentures of local bodies. The loans to the New Zealand Treasury amounted to less than eighteen per cent. of the whole sum invested. New Zealand, like all young countries in course of settlement, stands in need of capital, and has to borrow outside as well as inside her frontiers. Any institution, therefore, which helps to keep the savings of her people at home and available for loan purposes there does a financial service to the colony, in addition to fulfilling the special purpose for which it was founded. It is in the reinvestment of the funds above mentioned that the Life-Insurance Commissioner is subject to control. The reinvesting is managed by a board of six persons, of whom he is one and the Colonial Treasurer another. Every loan has to be agreed to by this board unanimously. No loan must exceed £10,000; mortgage loans must not be of more than three-fifths of the value of the freehold on which they are advanced. Lending appears to have been prudently conducted, for last year the value of the properties on which the department had had to foreclose, and which were lying unsold on its hands, was only about £1,000. This furnishes an edifying contrast to the position of certain great colonial corporations which have lent money on landed estates in Australia and New Zealand.

I will not ask the readers of this article to follow me into the intricacies of the ordinary business of the Life-Insurance Department. They are hardly likely to be interested in knowing the

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precise proportion of its death policies, endowment policies, annuities or tontine policies, or the amount of favor which its special temperance division has found in the eyes of insurers. I may mention in passing that the office will not insure any one life for more than £4,000, and that, subject to certain conditions, its policies may not be seized by creditors in the event of the bankruptcy of their holders. The bonuses in force last year represented over a million sterling. The total amount paid since the foundation of the office in 1870, in respect of death claims and matured endowments, has been nearly £2,800,000. The proportion borne by expenses to premium income will not be regarded as excessive (especially in view of recent revelations in New York), for, in 1904, it was but 18.8 per cent. On the whole, the success of the department is admitted even by the most dogged opponents of State enterprise, and the hardest thing I have discovered in the shape of recent criticism of it amounts to this—that in three years, 1901, 1902, 1903, its business (allowing for lapsed policies) did not increase as fast as that of two of its competitors, the Australian Mutual Provident and the National. The year 1904, however, showed a marked improvement in the business of the Government office. One division of the business, however, may interest the servants of Governments in other countries. Under a law which came into force about twelve years ago, most of the officers appointed to the Civil Service of New Zealand have to insure themselves in the Government office. Three per cent. is deducted from their salaries and handed over to the Life-Insurance Commissioner. In return, they receive a policy payable at death should they die before the age of sixty. If they survive until that age, their policies are changed into deferred annuities payable to them each year until death. That is to say, they receive a species of pension. Last year, six hundred and fifty-eight policies were in force in this section assuring nearly £100,000, and entitling the surviving policy-holders at the age of sixty to annuities amounting to over £30,000.

It took more than thirty years of success in working its Life-Insurance Office to embolden the Government of New Zealand to venture into the more doubtful field of accident-insurance. One of the reasons for this may have been the measure of failure which attended many of the accident-insurance companies which did business in New Zealand between 1880 and 1900. In 1899, it

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was stated in the House of Representatives that, of twenty-three companies of this description, all but three had either wound up or withdrawn from the colony. It is true that the most glaring examples of failure had been Australian companies which had come to grief in the depression following the collapse of the Melbourne "boom" in 1892. But, though the breakdown or retirement of these companies may have had little or nothing to do with the conditions of accident-insurance in New Zealand, it certainly did not present a record likely to tempt cautious Government officials into the business. What, then, caused the Seddon Government and its advisers to try the venture? The explanation is somewhat interesting. The years 1891 to 1899 saw a series of amendments of the law of compensation to workmen passed by the General Assembly in Wellington. All these increased the liability of employers for accidents to their servants and workers, and the last change placed the colonial law fairly in advance of Mr. Chamberlain's well-known measure. Inevitably, the employers looked to insurance as a means of protecting themselves; and, as early as 1893, the only two accident-insurance companies in the islands were doing a roaring trade and supposed to be reaping handsome profits. After a while, the Government decided to step in as a competitor, both with the view of reducing the rate of premiums paid by the employers, and to secure a portion of an apparently profitable business. Simultaneously, therefore, with the final and most important extension of employer's liability, they proposed to conciliate opposition by passing a State Accident-Insurance act. The year which saw this law put on the statute-book was 1899. Though carried through the House of Representatives by a majority of two to one, it came in for a good deal of keen criticism at the hands of Mr. Duthie and other speakers, who disliked it both as an extension of State enterprise and as associating the Life-Insurance Office, hitherto a sound and popular institution, with a novel and dubious undertaking. The bill provided that the officers of the Life-Insurance Department should conduct the new business. They were to do the work, and, though some payment was to be made to them therefor, this extra labor and responsibility were pronounced by several critics unfair both to them and to the policy-holders in their office. The liberal promises of the Premier of a reduction of thirty per cent. in the rate of premiums were declared illusory, and the fact

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was pointed out that the recent appearance on the scene of a fresh competing company had just brought about a sharp fall in these rates.

However, the bill went through, and in due course the Life-Insurance Commissioner, Mr. Richardson, organized this new department. The act constituting this stipulates that the funds, assets and liabilities of the Accident-Insurance Office are to be kept separate and distinct from those of the main Life-Insurance Department. So the policy-holders of the latter have no cause to be apprehensive that any losses incurred in the accident branch will have to be made good by them. Then, as might be expected, Mr. Richardson and his experienced officers have shown themselves quite capable of managing their additional department with prudence and profit. The figures of the three years' accident-insurance business carried on by them lie before me as I write. From these it would seem that in 1902 the office received in premiums a little over £14,000; in 1903, somewhat more than £24,000; and in 1904, a few hundred pounds less than the last-mentioned sum. These receipts have so far exceeded the claims which have had to be paid or provided for that the office has been able to accumulate funds to the amount of £5,600, as well as to hold over £9,000 as "unearned premium reserve." No serious complaint, so far as I have been able to discover, has been made against its methods or management, except that its rates of premiums do not materially differ from those in force when it was opened. The answer to this complaint seems to be that, at or shortly before the sanctioning of the Government scheme by Parliament, competition among the companies had sharply reduced the old rates. It is claimed that the existence of a Government office is at least a guarantee that the rates will not presently be raised by an agreement between the companies. In 1903, the Prime Minister stated that the Government office would neither follow the example of the companies in cutting rates lower nor have anything to do with raising them by combination.

Just as fire-insurance is a less exact and much more hazardous undertaking than life-insurance, so the New Zealand conditions under which the former experiment was resolved on in 1903 were very different from those of the dark days of thirty-five years before. Vogel's proposal commanded unanimous support: Mr. Seddon's was only passed after years of active resistance, re-

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sulting in a notable modification of the original plans of his advisers. He had to bring in his fire-insurance bill in face of the fact that there were no less than twenty-six fire-insurance companies doing business in the colony, and that, speaking generally, these were powerful corporations of good repute. Four of them were New Zealand companies,—at any rate, companies with their headquarters in New Zealand,—and among the shareholders of these prosperous bodies hundreds of New Zealand investors were, and are, enrolled. Human nature being what it is, extensive local influence of the insurance societies caused some division of public opinion and did not simplify the task of a Government resolved to make a beginning with State Fire-Insurance. In Parliament there was a genuine feeling that fire-insurance was a risky business. So bills were introduced again and again only to be abandoned. A select committee of the General Assembly, after hearing evidence, presented a report, in 1903, none too favorable to the new departure. There was, nevertheless, a strong and general feeling that some new element of competition should be introduced—this, despite the presence of the twenty-six companies. The position was that the companies were working together under a tariff agreed upon among themselves, a tariff which, as finally settled in 1895, was claimed by them to be scientific, but which the insuring public grumbled at and denounced as severe. The complaints were particularly loud, perhaps, in some of the smaller country towns, but were widespread enough to compel the attention of Parliament and the Ministry. It was averred that improved water-supply and fire-service were being provided in localities whose representatives alleged that corresponding reductions in insurance charges did not quickly follow. Again, it was pointed out that the colony was exceedingly prosperous, and that the business done by the insurance companies was large and increasing. But what weighed even more in the scale was that handsome profits were made and declared by the better-known companies. It is true that the defenders of these asserted that four-fifths of their profits were made out of business outside New Zealand or were yielded by investments. But, very rationally, the public did not scan the source of the dividends with too close an eye. It was sufficient that the profits were there.

On behalf of the companies it is only fair to point out that a table of figures laid before the Parliamentary committee of inquiry

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appeared to show that in the five years 1899-1903 they had paid on fire losses in New Zealand no less a sum than £1,395,000. It is true that they had in the same period received not only as large an amount, but some £632,000 more in premiums. But it was asserted on their behalf that, after allowing for fair expenses and reserves for unearned premiums, the insurance companies not only made nothing, but actually lost slightly in that particular quinquennium. Perhaps they did, for one of the years therein was noted for disastrous fires. But in answer to the plea of their friends it was pointed out that, over a long series of years, the companies had done well, as not only their dividends but their substantial reserve funds proved. Moreover, it was alleged that they or most of them had themselves to thank for at least some of their losses.

The following passage from a speech made by a country Member in the House of Representatives on September 1st, 1903, is worth quoting, both because it contains the reply usually made to the argument just given, and because it states the particular grievance urged on behalf of the rural districts. The Member aforesaid, Mr. Thomas Mackenzie, said:

"In many of our cities the rates are reasonable enough on many of the risks, but where the hardship and injustice come in is on the same class of risks in the country districts. The honorable gentleman says that the difference between the town and country rate on brick buildings is 3*s*. 6*d*. I suppose that is in a town like Dunedin. You have got to pay 12*s*. 6*d*. in Milton and 12*s*. 6*d*. in Clutha for brick stores. There the people are handicapped by three times the amount, and yet the honorable gentleman says that no injustice is done. The injustice is against the country people, for their rates are inordinately high. Of course, they say they make large losses in the country; but these losses are greatly brought about through the companies taking risks from persons who have not the best of reputations, and by carelessness in stock inspection."

As an example of how widespread was the feeling of restiveness at the high premiums charged by the combination of Insurance Companies, I may mention that as far back as the year 1896 a meeting of delegates took place representing Fire-Insurance Protective Associations of seven leading New Zealand towns. At this meeting resolutions were passed pointing out that, while insurance was commercially a necessity, it had become, owing to combination among companies conducting it, a monopoly: that State Life-

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Insurance had been a success and that, further, the delegates present "representing large interests" unanimously called upon the Government to establish a State Fire-Insurance Office. Furthermore, the meeting urged that the system to be adopted by the Government should be in part at least compulsory.

It took the Government seven years to comply with the demands thus formulated, and even then all compulsion had to be dropped from their scheme. In the debates in Parliament on the Fire-Insurance Bill, as finally shaped, the usual objections were urged to the extension of State influence, the creation of "billets," and to the incurring of further liabilities by the colony and the taxpayer.

On the whole, however, there was a general agreement that no sufficient reason existed why the Government should not manage fire-insurance business successfully, provided that efficient officers were selected and proper care and caution shown. The Government attempted to conciliate support by limiting the capital to be raised to the very modest sum of £100,000, and hinted that not even the whole of this would be required. They, furthermore, promised that half the profits of the business should be returned triennially to the insurers, while the other half should be placed in reserve to strengthen the Office. Mr. Seddon expressly disavowed all intention of waging war to the knife against the companies, only claiming that there was room for a Government Office as well as for them. He laughed at the suggestion that, as soon as the Government had secured the establishment of an Office for voluntary insurance, they would seek to extend their enterprise by introducing an amending Bill, containing the principle of compulsion. To this he referred as the "old bogey."

In conclusion he assured Parliament that the new department should be carefully and wisely administered. Its management would be checked by an Advisory Board, so that no rashness was likely to be shown. Sitting on the Board would be the Commissioner of the Government Life-Insurance Department, associated with whom would be experienced and prudent State Officers. In estimating risks, the Government would have the advantage of information to be obtained from local and borough councils, the fire-brigade officers, and Government officials generally.

As the law establishing the State Fire-Insurance Office stands on the New Zealand statute-book, it confines the business of the

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Office to insuring property within the boundaries of the colony of New Zealand; and provides for the appointment of the General Manager and Staff, who are not to be members of the ordinary Civil Service or subject to its rules. The Board consists of the Colonial Treasurer (Mr. Seddon), the Government Life-Insurance Commissioner (Mr. Richardson), the General Manager and two unofficial members; the last two are appointed for two years and are paid. By Clause 30, it is provided that half the net profits of the business are to go to the creation of a Sinking Fund, while by Clause 45 it would appear that the surplus profits—that is, the remaining half—are to be equally divided between the insured and the Reserve Fund. The return made to the insured will take the form of bonuses divided on a basis proportionate to the premiums paid by them.

The bill authorizing the setting up of the State Fire-Insurance Office became law towards the end of 1903, and the Government lost no time in acting upon it. No difficulty was found in enlisting the services of an experienced manager and staff, nor, for the matter of that, in securing business. The public displayed abundant willingness to avail itself of the new means of breaking up the insurance monopoly. Though the management showed proper prudence in considering offers and inspecting risks, I am informed that the risks accepted during the first nine months of the life of the office reached the substantial total of over two millions and a half. The premiums paid in had, by the end of that time, risen to the neighborhood of some £2,000 a month, while the losses incurred were represented by the very moderate sum of £1,200 in all. So far so good. But it cannot be claimed that, as yet, the paths trodden by the young department have been those of pleasantness and peace. Very far from it. The insurance companies, through their local representatives, declared war to the knife upon the unwelcome competitor. They boycotted it, refused to reinsure its risks in the colony, and made things as unpleasant for it as possible in London. The Government was driven to cross the world in order to secure a reinsurance, and only after some display of hesitation did it obtain the needful cover at Lloyd's. The London press was fed with paragraphs of an unfriendly kind. In the colony itself the companies took the extreme step of cutting down the rates upon the description of properties comprised in what is termed "Class W" by thirty-three

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and a third per cent. This class comprises dwelling-houses and similarly rated risks. The Government Office, which had not contemplated a greater reduction than ten per cent., was, of course, obliged to keep step with its opponents. (I may mention that rates on other classes of property were lowered by ten per cent.) Nevertheless, disagreeable as embittered competition always is, I am of opinion that the irreconcilable attitude of the companies, while justifiable enough according to ordinary commercial ethics, is scarcely likely either to intimidate Mr. Seddon or to dismay the public of the colony, who are enjoying the benefit of very much lower rates. The amount of business done by the State Fire-Insurance Office may, it is true, be restricted; but its success is not likely to turn upon the friendliness or unfriendliness of competitors so much as upon the amount of care, judgment and caution displayed by its manager, his agents and his advisers.

W. P. Reeves.

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A PLEA FOR AN ENGINEER CORPS IN THE NAVY.

BY REAR-ADMIRAL S. B. LUCE, U. S. N.

WHATEVER may be the final outcome of the trial, the disaster which recently befell the U. S. S. "Bennington" has brought before the public the question, whether or not a man can master two professions—whether one can become a good officer of the military marine, and, at the same time, a good Marine Engineer. The compound "military marine" is used here instead of the word "Navy" designedly. As a Navy is created and maintained solely with a view to the preservation of peace, or the possible contingency of war, all the operations of a fleet partake of a military character; hence, we have the expression "military marine." A Navy is simply a sea-army. It is clear, therefore, that the education and training of officers of the military marine must partake very largely of a military character. This view has not always prevailed. In former days to say of a naval officer that he was a thorough seaman was to accord to him the highest professional praise. During the Revolutionary War, some of the most successful officers of the merchant service became privateersmen, and numbers of successful privateersmen entered the Navy. They were thorough seamen and owed their success to their superior seamanship. Seamanship was the *sine qua non* of professional attainments. Ordnance and gunnery were in a very crude stage of development. Marine International Law was a sealed book. Nautical Astronomy had been but little studied. Longitude was determined by measuring lunar distances. The laws of storms and the physical geography of the sea were unheard of. The same conditions prevailed to a greater or less extent during the War of 1812, and for a number of succeeding years. Seamanship was the great desideratum; for seamanship won battles! Gunnery was an

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all-important factor, it is true. But what did good gunnery avail if the broadsides were not placed in a position to do the greatest execution? Just there came in the skill of the seaman. It was to handle his ship in such a manner that the fire of all his guns might be most effective. What was true of single-ship actions was true in a larger sense of the great fleet fights. Other things being equal, victory inclined to the ablest seaman. Thus it came that the seaman and seamanship so dominated the nautical mind that the military character of the profession was lost sight of. So much so, indeed, that the sailor affected contempt for a soldier. The scale of a sailor's individual preferences was: "A messmate before a topmate, a topmate before a shipmate, a shipmate before a dog, and a dog before a soldier." Hence it was that, during the sail period of naval history, the thorough seaman was a past master in all that related to the motive power of his ship.

But it would be an error to argue from this that a naval officer always has been, and, hence, always should be, a master of the motive power of his ship. It was not so during the galley period of naval history, nor is it true of the steam period. In the early days of the galley period, when the Greek penteconter—an open boat pulling fifty oars—was the highest type of war-vessel, the fighting-men were the oarsmen; that is to say, the men who did the fighting supplied the motive power. It was the same during the sail period: the sailors did the fighting and regulated the motive power—the sails of the ship actuated by the wind. But, when the bireme of two banks, and the trireme with its three banks of oars, came into use, there gradually sprang up two distinct classes—the rowers and the fighting-men—the men whose special province it was to furnish the motive power; and another, and a distinct, class whose province it was to do the fighting. The fighting-men had their own officers, the rowers theirs. Each class, from the highest to the lowest, was homogeneous. This distribution of duties was one not simply of man's device; it was an imperative necessity imposed by existing conditions. The steam period has revived that practice, the practice of having a just and proper division of duties—those whose business it is to do the fighting and those who are responsible for the motive power. A want of homogeneity in the personnel of either class would be detrimental to the well-being of the whole, for if the personnel is not congruous, then it is not sympathetic, having no community

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of feeling in its several parts, which would be fatal to the efficiency of the whole. Specifically, to have one part of the personnel of a corps of marine engineers to be made up of combatants, and another part to be made up of non-combatants, is contrary to the teaching of history and of every-day experience. This brings us to the consideration of a term which has obtained some vogue of late—"a fighting-engineer."

A fighting-engineer, one would naturally suppose, was a graduate of a military academy, who had been assigned to the Engineer Corps of the Army. General McClellan was a notable example of a fighting-engineer. He graduated from West Point into the Engineer Corps of the Army, fought with distinction in the Mexican War, and subsequently was in chief command of the Army of the Potomac in the Civil War. He was in truth a "fighting-engineer": a military, not a mechanical, engineer. Applying the term to the Navy reveals some of the curiosities of our naval methods. By the Act of July 4th, 1864, Congress authorized the Secretary of the Navy to provide for the educating of marine engineers at the Naval Academy. As a consequence, Cadet Engineers were obliged to devote a portion of their time to military exercises and seamanship, time which had formerly been given to the machine-shop. This Act was followed by the Act of August 5th, 1882, which abolished the distinction between Cadet Midshipmen and Cadet Engineers; and provided that *all* undergraduates should be classed as Naval Cadets; and that, thereafter, all vacancies in the lower grades of the Engineer Corps should be filled from the graduates of the Naval Academy. This was the first step in the scheme of amalgamation. As a logical sequence of these measures came the Personnel Act, Section 1, transferring the officers of the Engineer Corps to the line of the Navy. Thus the Engineer Corps became extinct. As a corps it no longer exists. The Corps ceased to exist by merging the marine engineers into the military branch of the naval service. The members of the Corps had been trained both as combatants and as marine engineers—the course of training prescribed for all undergraduates. Hence the term "fighting-engineer" is the equivalent of the term "naval officer" of the line. In practice, however, we find that, by a process of natural selection, certain graduates elected to become marine engineers. It is the latter to whom the term fighting-engineer properly applies, if to any one. Hence the expres-

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sion a fighting-engineer contains, in a condensed form, a very interesting episode in our naval history. Examined critically, as an abstract question, we find that the compound fighting-engineer is a cross between the military and the mechanical. Professionally, he is a hybrid. The chief characteristic of hybridism is sterility. Sterility is opposed to reproduction or development. That is what the expression "fighting-engineer" stands for—sterility. The fighting-engineer is, professionally, unfruitful, unprofitable. He may do moderately well in either capacity, but he can never excel in the one or in the other. He is of the "Jack of all trades but master of none" class. He represents mediocrity, the commonplace, the barely respectable. His normal condition is static, as opposed to the dynamics of singleness of aim. Now, excellence in each department of the naval service is what modern education requires, and what war demands. The question to be considered, therefore, is how far the hybrid is to meet the demands of war. It is not only a practical, but a very serious question, and one demanding an intelligent and an immediate answer.

In discussing a question of such importance to the Navy, we disclaim any intention whatever of reflecting upon individuals or classes. We gladly admit the brilliant exceptions to our hypothesis furnished by the very able line officers who have done so much to render the amalgamation scheme a success. We are dealing with rules of general application, not with the exceptions, however notable.

The case may be summed up somewhat as follows: The tactics of the fleet is dependent upon the tactics of the battle-ship. The tactics of the battle-ship is dependent upon its motive power; the motive power is dependent upon the engineer's force; and the engineer's force, in turn, is dependent upon the officers who have immediate charge of it and are responsible for its efficiency. Hence, from a *strictly military* point of view, the proficiency of the engineer officer is a question of vital importance to the naval tactician, as well as to the naval administrator. He cannot afford to have any but the very best the country can produce—the very best as to professional attainments and manual skill in his own special calling.

Our convictions on this very important question have been confirmed and strengthened by an article which appeared in this REVIEW in March, 1902, entitled "Some Neglected Naval Lessons

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of the War." It is the strongest argument that has come to our notice, showing the *military* necessity, to the Navy, of a thoroughly trained engineer's force. The "Oregon's" performance during the Spanish War is cited, on the one hand, by way of example of what good marine engineering work, under a capable captain, can accomplish; and the Spanish ships at Santiago, on the other hand, to show how poor engineering may easily result in the loss of a battle. The writer well says: "The great lesson to be drawn from the Battle of Santiago is the vital importance of engineering to the efficiency of the modern fleet." His plea for the engineer corps is ably presented. He strengthens his position by adducing an English authority of recognized ability. The Editor of the London "Engineering" for November 15th, 1901, whom the author speaks of as a "clear-headed student of naval affairs," says:

"Engineering is not to be learned without practical object-lessons carried out by the student himself. No man can become a mechanical engineer without dirtying his hands; without devoting to the subject several years of hard study accompanied by practical work. It is a matter of long training, both in theory and practice. No country that cannot command a body of men willing to undergo the disagreeable features, incidental to engineering training, will be able to maintain its position as a first-class naval Power, under the stress of war, however many ships and guns it may possess. Neither Great Britain nor the United States lacks such men, and it will be only the ruling power of either country that will prevent their employment. . . . The chief danger is that the warrant machinists will be accepted as efficient stop-gaps, although we think there is too much engineering knowledge abroad in the United States for the foolishness of that course not to be seen. If, however, such a plan is accepted, the American Navy will be thrown back at least a quarter of a century in its personnel. The old round will be trodden once more; the old fight fought again. In the mean time, the efficiency of the American Navy will suffer; and, if it should be put to the ultimate use for which all navies are supposed to be built (war), a very unpleasant awakening may result."

Says a German authority of acknowledged ability:

"In order to be competent, nowadays, an engineer must be proficient in the numerous fields of engineering science and practice. It is impossible for the average man to acquire even a sufficient smattering of knowledge in this immense field of learning in the old empirical way. . . . The complexity of modern problems constantly increases the number of subjects which cannot be dealt with in an elementary way. . . . The consequence of the new order of things is that the demand for en-

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gineers that have had a thorough theoretical training is constantly increasing."*

These remarks referred principally to civil engineers; but they are just as applicable to marine engineers.

Accepting these views, which fully agree with the views of our own engineering authorities, that to become a marine engineer one "must devote to the subject several years of hard study, accompanied by practical work," and that "it is a matter of long and special training both in theory and practice"; and accepting, too, the opinions of the highest authorities, that to acquire a knowledge of tactics and strategy, and to become proficient in Marine International Law, require much practice for the first, and constant study and reflection for all, let us ask, in all sincerity, if a naval officer is capable of becoming proficient in both professions. Our answer is, most emphatically, that he is not. He cannot serve two masters.

The higher and more thorough education now demanded of every profession has had a marked influence on the Navy. It remains true that a naval officer must be, as of old, a "seaman and a gentleman."† But, in these days, he must be a great deal more than that. He must still be thoroughly familiar with the motive power of his ship. He must be a seaman, not necessarily in the old sense of the word, but in his ability to handle a battleship in a seamanlike manner, under all conditions of wind and weather, and to maintain his exact position, at all times, in the fleet. He must have the "sea-habit," as it is called—the sea-stomach, the sea-legs, the sea-tastes—tastes which make him contented to live on board ship and joy in his duties there. And he must be a gentleman in his broad and liberal education and varied attainments. Besides being a good English scholar, he must be familiar with at least one foreign language.

A glance at the curriculum of the Naval Academy will show how thorough and comprehensive is its course of study. In mathematics, it will compare favorably with our great Universities. As a school of marine engineering for naval officers of the

* "Technical Education in Germany," J. L. Bashford, "The Fortnightly Review," October, 1905.

† "None other than a gentleman, as well as a seaman, . . . is qualified to support the character of a commissioned officer in the navy."—PAUL JONES. "One could not be a good officer without having the knowledge of a practical seaman and the manners of a gentleman."—LORD NELSON.

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line, it is said to be one of the best in the world. On these and cognate branches, the courses of instruction for the line officer and the marine engineer run on parallel lines, but they soon diverge. Coincidently with the courses in steam-engineering and scholastic studies, run the military training and instruction in seamanship, gunnery, navigation and law. The very first step taken with the midshipman on entering the Naval Academy is to make a soldier of him. It is in the "setting-up drills," the "school of the soldier," the "school of the company," and in the battalion of infantry that he is inducted into military life: the military life whose field of action is on the high seas.

Of the four years' course 16.9 per cent. is given to instruction in military branches, seamanship and navigation. Our contention is that, for the midshipman destined for duty in the engineering branch of the Navy, not only is this time wasted, but the instruction is positively harmful, inasmuch as it diverts a mind prone to mechanical pursuits into unrelated channels.* There is no affinity between military arts and mechanical arts.

The Naval Academy, after all that can be said of it, is but a preparatory school of war. Our real naval school is now the North Atlantic Fleet.† This school is of such recent growth that

* *Summary of drill periods during four years' course:*

Seamanship	76	Deviation of compass	3
Boats under oars and sails	52	Great guns	22
Steam tactics	14	Landing force	4
Signals	10	Steam	124
Target practice (great guns)	12	Practical electricity	10
Torpedoes	15	Turrets	5
Practical ordnance	54	General quarters	16
Artillery	24	Clear ship for action	16
Target practice (small arms)	33	Bayonet exercise	2
Company drill	32	Gymnastics	15
Infantry	36	Dancing	16
Sword exercise	33	Setting-up drill	2

Instruction in seamanship and gunnery on board steamers includes instruction in engineering. Instruction in naval tactics includes engineering aboard steam-launches when practicable. Are all these drills necessary to one who is to manage the engineering department of our battle-ships, to overhaul and repair the machinery, and, ultimately, to design the engines of the navy? For one aspiring to honors in engineering science 78 per cent. of these drills should be dispensed with.

† Writing on board the "Constitution," Boston, Nov. 26th, 1814, Commodore Charles Stewart said: "With respect to a naval academy, the best school for the instruction of youth in the profession is the deck of a ship, presuming that none would be received into the service as midshipmen whose education had not been such as to fit them for officers, and calculated for gentlemen." This is measurably true to-day.

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its great importance is hardly yet appreciated. It is in this school that the junior officer learns the duties of Watch and Division officer. The latter prepares himself for the responsible duties of captain of a battle-ship, and the latter, in turn, for the higher and more responsible duties of flag-officer; while the whole course of training qualifies an officer for the still higher and yet more comprehensive duties of naval administrator. We look forward, by the way, to the time when we shall have an Admiralty Staff on which a Secretary of the Navy may lean with confidence—a Staff composed chiefly of flag-officers who have commanded fleets or squadrons. We may add, parenthetically, that no officer should be advanced to flag rank who has not commanded a "first-rate" for at least two years.

The foundation so well laid at the Naval Academy should be sedulously built upon by a progressive course of self-culture;* following one undeviating line until the rôle of the officer of the military marine merges into that of statecraft. "The world knows that Lord Nelson can fight the battles of his country; but a constant and confidential correspondence with this great man for a considerable portion of time has taught me that he is not less capable of providing for its political interests and honor on occasions of great delicacy and embarrassment."† This indicates a habit of long and continuous pondering on international affairs. "He was the most original tactician of the day," said Admiral Lord Hood of Nelson when he was only twenty-four. Nelson's successes were the net results of steadfastness and singleness of purpose carried on through his whole life. "From his youth up, Togo's life has been devoted exclusively to the study and practice of the art of national defence," says Adachi Kinnosuké. He was a specialist. On the same lines Farragut and Porter were specialists. Each one, beginning his career during early boyhood —one might say childhood—these paladins of the sea gave their best thoughts and energies to their profession—the art of war.

From these general remarks the deduction is plain. He who aspires to flag rank, with its wide range of duties and grave responsibilities, must estimate at the start the relative values of the different branches that lead to preferment. It will be found that,

* "Humanity has progressed solely by self-instruction."—HERBERT SPENCER.

† Speech of Lord Minto in the House of Lords, on hearing of the victory of the Nile.

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important as it is, steam-engineering is a subsidiary branch: while he who aspires to the front rank of engineering science cannot afford to waste his time in studies and exercises that have no bearing on the profession of engineer. If he would be a worthy successor of the very able engineers who built up our steam Navy, he must adopt, as they did, the principle of concentration on the profession of their choice. Differentiation should begin at fourteen. Before there can be a rational curriculum, says Herbert Spencer, we must settle which things it most concerns us to know —"We must determine the *relative values* of knowledges."

Admirable as the course of studies and exercises at the Naval Academy is, one would scarcely call it a "rational curriculum" for a School of Marine Engineers.

The specialty of the line officer is the art of war. His tastes may, and often do, lead him to specialize in other directions. The Navy can point with pride to the Washington Navy-Yard and to Indian Head for the evidences of the successful achievements of its own officers, from the designing of heavy ordnance to the turning out, and proving, of the finished product. Ordnance, as a science, and the art of gunnery, another specialization, are essentially of a military character. The same cannot be predicated of marine engineering. Specialization is now the rule in every profession save that of the engineer of the United States Navy. The wonderful advances made of late years in every department of science is due to the specialist. Specialization, be it observed, is only another form of concentration, and concentration is one of the soundest of military principles. It was concentration, as opposed to the dispersion of the forces of his adversary, that gave Togo his first great advantage during the war just concluded. The same principle is of general application. In every calling, those who have been successful are those who have concentrated their powers on one fixed object. Unity of purpose insures success. To these accepted tenets Congress has made the Navy an exception. But the fiat engineer will be found irredeemable in the sterling worth of engineering science.

Would the "fighting-engineer" be permitted in the engine-rooms of the great trans-Atlantic liners? Hardly. Those lines are conducted on business principles. They want there, and will have, real engineers, marine engineers, to run the engines of those great ships—engineers who know their business and take pride

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in it. Those companies demand the real thing without any frills. And that is just what the Navy demands—*bona fide* Marine Engineers. The stern exactions of war will no more permit dilettanteism in the engine-room than on the bridge.

The objection urged against the reestablishment of the Engineer Corps is that it would only result in reviving the old "line-and-staff" fight, now so happily ended. The answer to that objection is, that experience has taught us that the "line-and-staff" fight was brought about mainly through the mistake of forty years ago, in giving our marine engineers a military training at the Naval Academy. If we repeat that mistake the results would, naturally, be the same; and we should have another "line-and-staff" fight and another amalgamation act. There can be no two opinions upon that question. But if, warned by the experience of the past, we have the wisdom to educate Cadet Engineers at some great engineering centre, as for example at the New York Navy-Yard or at League Island, where engineering work in the machine-shop could go hand-in-hand with theoretical studies, we should, in time, raise a class of marine engineers who would enter that corps through choice. Their tastes, their aptitude for that particular kind of work, would have led them there and would keep them there. They would become wedded to that profession and would not be divorced from it. The school of marine engineering might very well be modelled after the Naval Academy, as far as admission of candidates and rules and regulations are concerned. But its curriculum should be arranged with a special view to suit a technical school of that character.

With such a course of education, we would in time have a corps of scientific and thoroughly practical marine engineers, of which the Navy and the country might well be proud. Officers of that corps should have all the rank, pay and privileges that could reasonably be asked for.

The abolition of the Corps of Engineers has had one good result. It has given to the world a practical demonstration of the excellence of the course of instruction in marine engineering at the Naval Academy, and of the ability of our line officers to take charge of the engineers' department of vessels of war, with marked success, but this must not blind us to their true vocation as heirs of the Lords of the Deep.

S. B. Luce.

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CONGRESSIONAL RATE-MAKING BY COMMISSION.

BY J. B. CESSNA.

WE propose to deal chiefly with the legal aspects of the interstate railroad rate-making. The necessity for action in obtaining further regulations we will take for granted, directing ourselves to the inquiry: Is the proposed legislation equitable, legal and constitutional; or is it a giving to the administrative board an autocratic power inconsistent with any republican government? It is beyond question that the founders of our government not only intended to, but did, place the management of interstate commerce in all its branches and aspects under national and not under State control. On this subject there is no necessity for any constitutional amendments. All that is required is a proper law to enforce wise provisions of the founders of the government.

The Esch-Townsend Bill, amending the interstate commerce laws, does not authorize the fixing of rates in the first place by a Commission; it provides for a court of transportation, and that, upon complaint made against any rate to the Commission appointed under the present law, if said Commission find such rate unreasonable and unjust, it may fix a reasonable and just rate, which shall go into effect immediately and stay in effect until reversed by a court of review. It further provides that the court of transportation shall have exclusive and general jurisdiction in all suits and proceedings, brought in name of the United States or of the Interstate Commerce Commission, to enforce the provisions of the act to further regulate commerce with foreign nations and among the States, fixing rules, regulations and provisions necessary for the just and speedy trial of all such cases.

The provision for enforcing the rate fixed by the Commission is a power not found in the present Interstate Commerce Law

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as interpreted by the Supreme Court of the United States. Under the present law, should the Commission find that a certain rate is illegal and unjust, and should it report what rate would be reasonable and just, there is no provision for enforcing the same, so that the law is virtually nugatory. The railroads claim that this additional power would be autocratic, while Mr. Olney and others argue that the granting of this power would be illegal and unconstitutional. This is the position taken by M. Joseph Nimmo, statistician and economist, of Washington, D. C., in his statement made to the Committee on Interstate Commerce, on February 10th, 1905, which was designed to instruct that committee, and to save our nation from "a bureaucratic imperialism, endowed with that great anomaly known as 'dispensing power'—the attribute of tyranny and oppression." The following are some of the erroneous positions taken by Mr. Nimmo:

1. The power to issue self-executing decrees is essentially a judicial function, not one to be exercised by an administrative board.

2. The conferring of the power of rate-making upon the Interstate Commerce Commission by Congress would be an unconstitutional delegation of its legislative authority. Furthermore, to vest the power of rate-making in the Interstate Commerce Commission would be a much larger exercise of the power of Congress to regulate commerce among the States than has ever been exercised by Congress.

Again, Mr. Nimmo, by implication, if not directly, argued before said committee:

(1) That no board or commission appointed by Congress can fix rates for the future;

(2) That the question as to whether the Federal Judiciary could in any event pass upon a rate for the future prescribed by the administrative board, is involved in great doubt;

(3) That the Supreme Court of the United States had never decided that a rate-making statute is constitutional.

Here is a clear misapprehension of the law, due to the mistake of regarding a fixed rate by a commission, not as *prima facie* evidence only, but as conclusive evidence, of reasonableness, such as would rob the railroad company of its right to inquire into this fact in a court of justice. The latter, we concede, would be

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an unconstitutional attempt to take property without due process of law. But it has been held by the Supreme Courts of various States, as well as by the Supreme Court of the United States, that a rate fixed by a commission appointed by the Legislatures of the States, or by the Congress of the United States, is legal and valid, so long as it is only *prima facie* evidence of reasonableness.

Mr. Olney, in the number of this REVIEW for last October, denying the right of Congress to delegate to a commission authority to prescribe rates of transportation with foreign nations and among the several States, asserted:

1. That it is an open question, so far as the Supreme Court of the United States is concerned;

2. That there are only *dicta* by judges to be found in various cases decided by the Supreme Court; but that whether authorizing a commission to fix rates is or is not a delegation of legislative power which Congress is incompetent to make has never been the ground of decision in any case, and presents an issue which has never been thoroughly discussed either at bar or by the Court;

3. Prescribing rates is a legislative function and cannot be delegated.

We will not discuss at length what is and what is not a delegation of legislative authority, but will content ourselves with a general statement of the proposition, well settled by authorities, State and national, that rate-making by a commission is not *legislation, but the execution of legislation;* that, when either the State Legislature or Congress expressly prescribes rates for commerce by declaring that such rates shall be just, reasonable and fair; then in preparing schedules of actual rates to govern the carriers the commissioners' functions are administrative and not legislative; they only exercise a legally delegated discretion.

As is said in many cases:*

"Half the statutes on our books are in the alternative, depending on the discretion of some person to whom is confided the duty of determining whether the proper occasion exists for executing them. But it cannot be that the exercise of such discretion is the making of the law.

"The Legislature cannot delegate its power to make a law; but it

* Moers *vs.* City of Reading, 21 Pa., 188-202; Lock's App., 72 Pa., 491-498; Chi. W. R. Co. *vs.* Comm., 1 Ohio, 88. Affirmed in Field *vs.* Clark, 143 U. S. C., 650-694, and cited by Mr. Olney.

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can make a law to delegate a power to determine some fact or state of things upon which the law makes or intends to make its own action depend. To deny this would be to stop the wheels of government. There are many things upon which wise and useful legislation must depend which cannot be known to the law-making powers, and must therefore be subjects of inquiry and determination outside of the hall of legislation."

The allegation of Mr. Olney needs explanation and qualification, when he states that, excepting *dicta* and the dissenting opinions of Justices Bradley and Blatchford (in 134 U. S., 418), it has never been decided whether authorizing a commission to fix rates is or is not a delegation of legislative power which Congress is incompetent to make. If the proposition relative to an act of Congress is not settled, the proposition as a principle of law has been adjudicated by the Supreme Court of the United States, which has held, in several well-argued cases, that the delegation of rate-making powers to a railroad commission by State Legislature was legal and valid. It must be conceded that, if the delegation of railroad rate-making power to a commission by the Legislatures of different States is not an unlawful delegation of legislative authority, then the delegation by Congress of such authority is lawful; if to prescribe rates is not a legislative function and can be delegated by the State Legislature, it can be so delegated by Congress. This is virtually conceded by Mr. Olney, since he admits that the right is coextensive; he speaks of "a like power in respect of local business, if it exists, being vested in each State," and he argues that, if Congress once passed such a law, the Legislatures of various States would soon do likewise.

Nearly half of the States of the Union, for more than a quarter of a century, have had statutes delegating to a commission a rate-making power. These cases have frequently been before the Federal Courts and the Supreme Court of the United States; and, in every instance, after full argument and consideration, the courts have held the statutes valid and constitutional, and that such a commission was an administrative board, exercising valid and legal authority.

The case of Stone *vs.* F. L. & T. Co. (116 U. S., 307-324-336) clearly negatives the propositions of Mr. Olney. The State of Mississippi passed an act, March 11th, 1884, appointing a commission to regulate and supervise railroad rates. The constitu-

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tionality of this act was questioned in this case and was sustained by the Supreme Court of that State. Upon an appeal to the Supreme Court of the United States, it was contended that "the statute conferred both legislative and judicial powers on the commission, and was thus repugnant to the Constitution." Here the right of a Legislature to delegate its railroad rate-making power was in issue and thoroughly discussed before the courts of Mississippi and of the United States, both courts holding that such a statute did not confer either legislative or judicial power on the commission.*

In the case of N. Y. and N. E. R. R. Co. *vs.* Bristol (161 U. S., 556-571), the question arose relative to a grade crossing and the enforcement of payment of salaries and expenses of State railroad commissions by the railroads of the State. The Court said:

"Railroads are subject to such legislative control as may be necessary to protect the public against danger, *injustice and oppression; and this control may be exercised through a board of commissioners.*"

In the case of Georgia Banking Co. *vs.* Smith (138 U. S., 174), the same principle is affirmed. The State railroad commission law was attacked. The Supreme Court of the United States said:

"The Supreme Court of the State held, on application for an injunction, that this delegation of authority by the Legislature to the commission to prescribe what shall be reasonable and just rates for transportation within its limits, was a proper exercise of its own power to provide protection to its citizens against unjust rates and to prevent unjust discrimination; and it was expected, not that the Legislature would itself make specific regulation as to what should in each case be a proper charge, but that it would simply provide the means by which such rates should be ascertained and enforced."

The State of Texas gave to a commission the right to fix and regulate railroad rates. This statute was vigorously attacked and ably argued at bar and in court, both State and Federal, and it was insisted that the fixing of rates for public carriers is a matter wholly within the power of the legislative department of the government, but the Supreme Court of the United States held that "the act was valid and constitutional, and that the commission created thereby was an administrative board exercising functions properly delegated."†

* Affirmed in Louisville and N. R. R. Co. *vs.* Ky., 161 U. S., 677-698.
† Regan *vs.* F. L. & T. Co., 154 U. S., 362.

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It was further held that, while it was within the power of a court of equity to decree that the rates so *established by the commission* were unreasonable and unjust, and to restrain their enforcement, it was not within its power to establish rates itself, *" or to restrain the commission from again establishing rates."**

The State of Nebraska passed a railroad-rate law fixing rates of transportation and authorizing a commission to reduce any rate whenever it desired. After action of the board reducing rates, it was thought that the rates fixed did not return to the railroad company a fair and reasonable compensation for its services. An injunction was issued by the United States District Court restraining the action of the commission. The constitutionality of the act was vigorously attacked, and the case was argued and reargued in the Supreme Court. W. J. Bryan argued that " the several States had a right to fix, either directly through an act of the Legislature, or indirectly through a commission, reasonable maximum rates upon traffic wholly within their border." The Court did not decide that the commission had no authority to act, but sustained the injunction because the rates fixed by the board were unreasonable.

In discussing what compensation a railroad should have for transportation, the Court said:

" Undoubtedly, that question could be more easily determined by a commission composed of persons whose special skill, observation and experience qualified them to so handle rate problems of transportation as to do justice both to the public and to those whose money has been used to construct and maintain highways for the convenience and benefit of the people."†

Here are two cases of the United States Supreme Court well argued and considered, holding that a railroad commission has legal authority to establish rates, and that the courts have no right to restrain it by injunction, if the rates so fixed are fair, reasonable and just.

The Supreme Court of the United States, discussing the right of Congress to appoint a commission to make railroad rates, said:

" There were three obvious and dissimilar courses open for consideration: Congress might itself prescribe the rate, or *it might commit to some subordinate tribunal this duty,* or it might leave with the com-

* Affirmed in St. L. & St. Fe R. R. Co. *vs.* Gill, 156 U. S., 649-663.
† Smith *vs.* Ames, 169 U. S., 466; 42nd L. Ed., 819.

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panies the right to fix rates subject to regulations, restrictions and the rule of common law that rates must be reasonable."*

There is no justification for claiming, as Mr. Nimmo does, that this case is an authority for saying that no commission appointed by Congress could exercise power to determine rates for the future, and that the delegation of such authority would be autocratic. True, this case does hold that the Interstate Commerce Law passed by Congress, did not confer upon the commission, directly or by implication, the power of prescribing rates. To concede this is far from admitting that legal power could not be delegated to such a commission. As the Court said, the only question before it was what Congress had determined should be done with reference to rates. It was an interpretation of the language used in the act, and not a decision of what power may or may not be delegated by Congress to an administrative body.

For many years, it was thought that the Interstate Commerce Commission had power to prescribe a tariff of rates for the future. For ten years or more, the decisions of that tribunal were rendered on that theory; and its decisions were acquiesced in until the Supreme Court of the United States and other courts decided that the language of the statute did not, directly or indirectly, confer that right upon the commission. During that time, the business interests of the country, as well as the railroad companies flourished. The relations between the people and the railroads were as happy as marriage bells. It was after it became known that such power was not granted to said commission that the trouble began. And after years of such experience and the abuse of railroad transportation, public interests and the welfare of our country demanded that new provisions be made to remedy the existing evils.

The question of the constitutional right of Congress to delegate to a commission a rate-making power is not directly involved in the Interstate Commerce Commission case cited above; yet the Court holds, as we have shown, that Congress may commit "to some subordinate tribunal this power." In principle, the whole case affirms the proposition we are arguing. The courts quote at length the statutes of different States, where the authority is directly and expressly delegated to various commissions to fix and enforce rates, making said rates *prima facie* evidence; these

* Interstate Commerce Commission *vs.* R. R. Co., 167 U. S., 479.

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statutes, and decisions sustaining them, are sanctioned and approved by the Supreme Court of the United States, not only in this case, but in many others, as shown by the authorities. This being so, the erroneous character of Mr. Nimmo's argument becomes at once apparent:

"The fallacy involved in this provision consists in the pretence that it avoided the objection of the courts, that rates made in advance of being charged and collected, even if authorized by statutes, are not reviewable in the courts as to their reasonableness from the fact that they are legislative rates."

Here the mistake is in not recognizing a difference between rates fixed by a commission and made conclusive, and those made only *prima facie* evidence of reasonableness; the first are illegal, the last constitutional. It may be that a provision of a statute making the schedule of commissioners final and conclusive as to reasonableness of rates would be a delegation of legislative power; yet it must be conceded, as held by many authorities, that making rates established by a commission only *prima facie* evidence of reasonableness, and leaving the question open to be decided by the courts, is not an unlawful grant of authority which belongs to the Legislature itself. The decisions of the courts on this precise question are uniform in declaring such statutes to be constitutional, and in holding that the reasonableness of rates fixed by a commission is always a question to be determined by the courts.*

The case of Chicago & N. W. R. R. Co. *vs.* Dey (35 Fed., 866) is among those where this question was first raised and decided. The interesting decision was rendered by Mr. Justice Brewer, while United States Circuit Judge. The constitutionality of the Iowa statute appointing railroad commissioners was attacked, because of an alleged delegation of legislative power, the claim being that the constitution of the State divided the government into three departments, Legislative, Judicial and Executive, and that no provision existed in the constitution for a railroad commission. The Court said:

* Smith *vs.* Ames, 169 U. S., 466—42, L. Ed., 819; 18 Sup. Ct., 418; 8 Am. & Eng. Ency. of Law, 911 O. S.; Interstate Commerce Commission *vs.* R. R. Co., 167 U. S., 494-528; Chicago, M. & St. P. R. R. Co. *vs.* Minnesota, 134 U. S., 418; 58 Minn., 287; Stone *vs.* Trust Company, 116 U. S., 307; Chicago & N. W. R. R. Co. *vs.* Dey, 35 Fed., 866; C. B. & Q. R. R. Co. *vs.* Jones, 149 Ill., 361; 37 N. E., 247; Geo. R. R. Co. *vs.* Smith, 70 Georgia, 674; 9 Am. & Eng. R. R. cases, 385.

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"Of course the question is pivotal; for, if the Legislature alone can fix rates, railroad commissioners are exercising functions which do not belong to them and such a claim cannot be sustained."

The following are a few of the reasons given: A law will not be declared unconstitutional unless its vice is obvious. There is no inherent vice in such a delegation of authority, or nothing which would prevent a State from intrusting this power to such a board, and nothing which would invade any right guaranteed by the Federal Government. The vital question is that the rates shall be just and reasonable, and not by what body they shall be put in force. In a general sense, the power to fix rates is legislative, yet the line of demarkation between legislative and administrative force is not always easily discerned; the one runs into the other. There are many statutes unquestionably valid in which the Legislature has been content simply to fix the rates and principles, leaving execution and details to other officials. Reasonableness of a rate changes with changed conditions. What is fair to-day may, six months or a year hence, be either too high or too low. The Legislature meets only once in two years. Justice would more likely be done if this power of fixing rates were vested in bodies of continual session, than if left to those meeting only at long intervals.

The same principle was affirmed by Justice Wood of the Supreme Court of the United States, sitting as Circuit Judge.*

The act of Legislature of Minnesota, passed March 7th, 1887, established a railroad warehouse commission. The Supreme Court of that State held that said act made all the rates fixed, final and conclusive as to what were reasonable charges, and that there could be no judicial inquiry as to reasonableness of said rates—sustaining the statute in this particular. The Supreme Court of the United States reversed this decision solely upon the ground that the rates fixed were enacted not only as *prima facie,* but as conclusive evidence of reasonableness, and that therefore said act was in conflict with the Constitution of the United States in depriving the railroad company of its property without due process of law.†

The case C. B. & Q. R. R. Co. *vs.* Jones (149 Ill., 37; N. E.,

* Tilley *vs.* Savannah R. R. Co., 5 Fed., 641.

† Chicago, M. & St. P. Ry. Co. *vs.* Minnesota, 134 U. S., 418; 58 Minn., 287.

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207), is one of the most recent and interesting cases to be found on this subject. Here it was directly claimed that Section 8 of the Act which authorized the commission to fix a schedule of maximum rates was unconstitutional, as being an attempt at delegation of legislative power. Reaffirming the C. & N. W. *vs.* Dey (35 Fed., 866), State *vs.* C. & St. P. R. R. Co. (58 Minn., 281) and other authorities, the Court said:

"We understand the doctrine of the Chicago R. R. Co. *vs.* Minn., and of Budd *vs.* N. Y., to be as follows: The Legislature has the power to directly fix the rates of charges. It has the right to declare what is reasonable. When it does so its declaration is conclusive as to reasonableness of the rates, and a charge beyond the maximum fixed by it must be regarded as unreasonable; but, when the Legislature creates a commission to regulate rates of charges, such commission has no power to make a schedule of rates which shall be final and conclusive evidence as to reasonableness of charges, because judicial inquiry is thereby cut off. We do not, however, understand the Federal cases to hold that an act of a State Legislature may not be valid if, while omitting to itself fix the maximum rates, it creates a commission with authority to make schedules which shall be *prima facie* evidence of reasonableness. When the schedule is only made *prima facie* evidence of reasonableness of rates, the court, in a suit against the carriers, can inquire and determine what is a reasonable rate, and the defect which was found to exist in the Minnesota law thus obviated. Under the constitutional provision above quoted, the Legislature of this State has the right, and it is its prerogative, to pass a law establishing or fixing reasonable maximum rates of charges. When it passed the act of 1873, it did not choose to exercise the power conferred upon it. That act does not establish reasonable maximum rates, nor does it delegate to the board of railroad and warehouse commissions the power to establish such rates. When a board is authorized to establish a schedule of rates, and their schedule is merely given the force and effect of *prima facie* evidence as to reasonableness, there is no delegation to the board of the legislative power to establish rates. The Legislature thereby merely refrains from exercising its constitutional power; and, by leaving the question as to the reasonableness of its rates open, makes room for the exercise by the courts of their jurisdiction upon the subject. The final tribunal of arbitrament is not the judiciary, but the Legislature. But when the Legislature declares that the charges shall be reasonable, or, which is the same thing, allows the common-law rule to that effect to prevail, and leaves the matter there, then resort may be had to the courts to inquire judicially whether the charges are reasonable."*

Appeal was taken in this case to the Supreme Court of the United States (complete record filed to No. 150 Oct. Term, 1896),

* 116 U. S., 462.

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but no opinion was ever rendered by the United States Court. It remained in this court for two years or more; and, a few days before a hearing was to be had, the company settled and paid the judgment. The writer had the honor of being one of the attorneys in this case. This is an important and interesting case involving many of the questions now being discussed relative to railroad commissions and rates. The points involved should be considered authoritatively settled by the State courts and virtually conceded to be the law of the Supreme Court of the United States, because payment was a concession by defendant that all points decided by the Illinois court were good law.

In addition to the case cited, there are many cases to be found in which it is held that a State statute regulating railroad fees and charges is constitutional. Most of these cases are instances where the maximum charge was fixed directly by the Legislature itself; but in Stone *vs.* F. L. & T. Co. (116 U. S., 307-324-336), the rates were fixed by a commission. This case was affirmed by the Supreme Court of the United States in Dow *vs.* Beidman, where the rates were fixed by the Legislature. In these cases not only the constitutionality of the statutes, but the right to delegate rate-making authority, was presented; therefore the Supreme Court of the United States settled, after full argument:

1. That the functions of the commission appointed to fix railroad rates were not legislative, but administrative;

2. That the Legislatures of the States or the Congress of the United States may fix railroad rates or appoint a commission for that purpose.*

This proposition must inevitably be followed as it is settled:

"Whenever there is presented in a legal way a question involving the validity of any act of any Legislature, State or Federal, and the decision necessarily rests on the competency of the Legislature to so enact, the court must, in the exercise of its solemn duties, determine whether the act be constitutional or not."†

In view of these many decisions, it may well be claimed that the principles of *stare decisis* may be invoked to such an extent that it would seem to be very difficult for the railroads to convince

* Dow *vs.* Beidman, 125 U. S., 688; 31 L. D., 861—3; Munn *vs.* Ill., 94 U. S., 113; 24 L. D., 34; Chi., M. & St. P. *vs.* Minn., 134 U. S., 455 33; L. D., 974; Budd *vs.* State of N. Y., 143 U. S., L. D., 36,247.

† Chi. R. R. Co. *vs.* Wellman, 143 U. S., 339-345.

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either the public or judicial mind of our country that the giving by the Legislatures of power to a commission to fix and regulate rates of transportation is illegal and unconstitutional. To permit the allegation to go unchallenged that prescribing rates is exclusively a legislative function, not to be delegated, and that this was an open question never settled by the Supreme Court of the United States—would be hurtful to the success of the proposed bill now before Congress.

Conceding that Congress has a right to prescribe rates or to delegate that power to a commission, there yet remains some uncertainty and much difference of opinion as to the manner and process of these regulations. The holding of the Court that neither a commission nor the judiciary has power to determine what was a reasonable freight rate for the future, has given our Legislatures more or less trouble, but it seems to us that this may be legally obviated in one of two ways:

1. By giving to the commission the right in the first instance to make a schedule of rates *prima facie* reasonable; this has been done by several of the Legislatures of different States;

2. By giving to the commission the right, upon complaint against any rate, to determine if that rate is reasonable and just, and if not to fix a reasonable and a just rate and to enforce the same by fines, penalties and injunctions. In either event, the principle of law is the same, the rate fixed by the commission is to be deemed *prima facie* evidence of reasonableness, until the contrary is proved by railroads. This does not deprive railroads of property without due process of law, nor does it arbitrarily fix a rate for the future contrary to decision of the courts. Fixing a definite time, as the bill offered by Mr. Mann, Congressman from Illinois, February 24th, 1905, does, during which the rate established as reasonable shall continue to be the reasonable rate might be unjust and hurtful to the best interest of the country, and no doubt would be declared by the courts unconstitutional. The conditions of business relating to transportation change from time to time, and a rate to-day reasonable and just may soon be too high or too low. But when a rate is established as *prima facie* evidence of what is reasonable and just, it remains *ipso facto* such until successfully assailed in a court of justice.

Experience has taught that it matters not how perfect a law for the regulation or control of commerce may be, it will fail

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unless there is strong provision for its enforcement. There may be a difference of opinion as to the manner of this enforcement, but the public sentiment of our country agrees with what our illustrious President said in a recent message:

"The government must in increasing degree supervise and regulate the workings of the supervision of railways engaged in interstate commerce; and such increasing is the only alternative to an increasing of the present evils on the one hand or a still more radical policy on the other. The most important legislative act now needed, as regards the regulation of corporations, is this act to confer on the Interstate Commerce Commission the power to revise rates and regulations, the revised rate to go at once into effect and stay in effect unless and until the court of review reverses it."

Strict obedience to and compliance with the rates fixed should be enforced by fines, forfeitures and penalties, both civil and criminal; then the law would be observed, the railroads would have to take the risk of a successful attack upon the rate fixed. In the proposed legislation not only ample power should be provided, but too much stress or care cannot be given to the provision enforcing all such powers. A law not surrounded with stringent provisions to enforce the same will be nugatory. The railroads do not fear so much the law as they do the manner of its enforcement. Their main efforts are to defeat enforcement. In view of this, the insertion in the proposed Congressional legislation of some of the ideas embraced in the act of Illinois, and some of the other States, might make it more effective. These statutes provide that, if railroads violate the rates fixed by the commission by overcharges or otherwise, they shall pay treble damages for the wrong done, with a reasonable attorney's commission added. Individual shippers cannot afford to fight railroads alone, but, aided in this way, a better observance of a law would be secured. A bill with such provision would be using Japanese tactics on the railroads—attacked by the Government in front and the people in the rear, they, too, would soon have to do like the Russians, surrender or retreat in good order.

J. B. CESSNA.

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THE CHINESE PRESS OF TO-DAY.

BY ARCHIBALD R. COLQUHOUN.

It is well known that Peking enjoys the distinction of being the home of the oldest newspaper in the world, beside which even such old-established journals as the London "Times" are mere mushroom growths. Although the "Peking Gazette" is not a news sheet in the modern sense, it has filled an important place in Chinese life; for, despite his ignorance of the outside world, the Chinaman loves to read and discuss the affairs of the day.

Long before the modern newspaper made its appearance in China, there was an extensive use made of placards, *pasquinades* and broad sheets, often extremely witty and clever, containing sarcasms on officials, even criticisms of Government, and generally used for the ventilation of popular wrongs and the expression of popular resentment. These were to be seen posted on walls in all the main streets and even on the gates of the *Yamen* (the mandarin's official residence), and nothing is more illustrative of the democratic constitution of China than the fact that Government never exercised any censorship over these forerunners of the modern press, and that there are actually no press laws in existence to-day. This is a curious contrast to the state of affairs in more than one Western country, and the United States is probably the only one where similar license is allowed. Japan, which is erroneously supposed to be China's model in the evolution of the press as in other things, has a very stringent and severe censorship. Notwithstanding some relaxation of press laws in 1897, the Japanese Ministries of Army and Navy have still the power to prohibit the sale or distribution of any paper disclosing military secrets, and that of Foreign Affairs has similar discretion with regard to any publication likely to bring about embroilments with any foreign Government. Insults to the dignity of the

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Imperial Family or attacks on existing institutions can be punished, not merely by suspension and fines, but by imprisonment. Indeed, till lately, imprisonment was so common that most papers employed a "prison editor," or official scapegoat, whose business it was to undergo these terms. The real editor was treated merely as a "contributor," and thus escaped the arm of the law.

It must not be supposed, however, that the Chinese press enjoys complete independence. There are not merely acts but certain words which, when employed against the Imperial Family, amount in Chinese law to parricide, and to indulge in the latter a newspaper must take refuge in one of the treaty ports or in Hong-Kong. Chinese officials, too, are a law to themselves and can, and do, put editors in prison on occasion; but the position of an ordinary mandarin or official is not a very certain one. The possibility in China that any man may rise from the ranks, and from being oppressed become an oppressor, develops a general desire for peaceable adjustment of differences. The fear of the press is potent with officials, and they avert its criticism, as a rule, not by harsh treatment, but by subsidizing it. Sometimes the whole staff of a paper is on a sliding scale of pay from the local mandarins, but more commonly the bribe takes the form of subscriptions for a certain number of copies, which may, or may not, be delivered—a method not altogether unknown in the Occidental world. One special reason for the desire to stand well with the press is the existence of the body known as the "College of Censors," whose business it is to scent out abuses and report to the Throne on the incapacity or misconduct of mandarins. Even the Imperial Family is not free from their criticisms.

The first real newspaper on modern lines started in China was the "*Shên Pao*" (the "Shanghai News"), published under English auspices in 1870; it preceded the first newspaper in Japan (founded also by an Englishman), which appeared a couple of years later. Encountering considerable difficulties at first, the "*Shên Pao*" by degrees won a good position, and was the first paper to give leading articles on the European model and to comment seriously on public affairs. Other papers were later founded, on the model of the "*Shên Pao*," at other treaty ports and at Hong-Kong. The growth of the Chinese press was slow until 1894 (before the Chino-Japanese war), when, besides the old "Peking Gazette," there were not more than a dozen

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native newspapers in the whole of China (including Hong-Kong), of which some three or four were published in Shanghai; one each in Tientsin, Foochow and Canton, and five in Hong-Kong. The issues of these papers were all inconsiderable. At this time, however, there were already eight Chinese magazines regularly published (in connection with missionary work), which, in many cases ably written and edited by foreigners, laid the foundation of further educational work. In 1898 (the great reform year), there were no fewer than thirty-five native newspapers, fifteen published in Shanghai, of which many had large circulations, and at this time there were also some thirty-five publications of the magazine class in different parts of China.

The *coup d'état* of this year put an end to many of these publications, which were the fruit of the reform movement and largely employed for the purposes of the reform propaganda; but, after the flight of the court to Hsi-an and the weakening of the reactionary party, newspapers and magazines began once more to reappear, and they are to-day two or three times as numerous as in 1898 and enjoy considerable and growing circulations. In addition, every province has now its official newspaper or *Kuan Pao,* which is the medium for Imperial edicts and for the publication of such official "news" as government may desire to make known. Without giving actual statistics, it may be mentioned that Peking, which had no newspaper up to the time of the Boxer rising—except a short-lived weekly started by the Peking Reform Club and suppressed by the Empress Dowager—has now three daily newspapers and two fortnightly ones, some of these being partly illustrated. Tientsin has at least three dailies, one of these, the "*Takung Pao*" ("The Impartial"), having the very respectable circulation of twenty thousand. The official organ, which calls itself the "Times" (the "*Shih Pao*"), although not so widely circulated, is well written under European auspices and has considerable influence. In Shanghai there are now sixteen daily papers (price, eight to ten *cash* each), some of which have circulations of as much as ten thousand, and besides these there are many journals published there. Further south (at Foochow, Soochow and Canton), there are in all some six or seven daily papers, and at Hong-Kong five, while Kiaochow has one which is supported by the local German government. In addition to these, several papers are now published in the interior, but the majority,

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for various reasons, flourish in the treaty ports. Wherever the Chinese congregate abroad they have their papers; at Singapore there are three, at Sydney two, in Japan two, in Honolulu several and in San Francisco some half-dozen. It must be added that the improvement in the postal arrangements of China has brought the most remote parts of the Empire into touch with the coast, and that in places where no such thing had ever been seen papers and books are now making their appearance and are eagerly read.

Formerly the instinct of the press was to turn, in cases of official oppression or interference, to British protection, and the majority of the papers and other publications had their birth under British *aegis* in the treaty ports. It has been more than once suggested that the free use made by the native press of the privileges accorded to foreigners was little likely to promote good feeling between China and the outer world, to which she granted those privileges. Of late a different line has been adopted. Many of the papers are either nominally or actually owned by Japanese, or more frequently still controlled by them; and not only are they able to avoid giving offence by their superior understanding of Chinese idiosyncrasies, but, in case of offence, the fact of their presence protects the paper from the Chinese officials. It is, however, quite impossible to gauge the actual degree of Japanese influence on the Chinese press, owing to the varying character of their connection with it and the fact that their policy is never to obtrude the national note.

The papers are written in the classic, or "book style," language, which is understood throughout the Empire, and the personnel are usually disappointed office-seekers, many of them good, and sometimes even brilliant, scholars. The enormous number of the *literati,* whose only hope after passing the examination portals is to obtain government positions, provides ample material for the profession of journalism, and the literary character of the papers is higher than that to which we are accustomed in the West. At the same time, it lacks the snap and vigor of modern "journalese," and it is only recently that even the up-to-date Japanese have been able to tear themselves from the elegancies and pedantries of the classic school and adopt a more concise and simple form of composition. In general character the Chinese press resembles that of Europe. There are leaders and leaderettes, news items, telegrams, scraps of general information and advertisements.

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Along the top, where we are accustomed to see the title, runs the pious exhortation to "respect the written word," and the custom of reverently collecting and burning all printed matter still survives, although it is neglected in some of the treaty ports. Special correspondence is "conveyed" from the foreign press, and not always well translated, which leads to many ludicrous mistakes. The acknowledgment is made to a "Western Friend," and the leading papers have a foreigner to advise on foreign news, but some of the more advanced statesmen have men to translate direct to them, as had Li Hung Chang. Advertisements in the more popular papers are much in evidence, as in our own papers, and war news is given prominence. This is a modern development, for at the time of the Chino-Japanese war the defeats of China were never chronicled, but imaginary victories were dithyrambically described, and the same happened in some parts of China at the time of the Boxer movement. As a rule, the articles in Chinese papers and magazines are not signed, but the niceties of style are such that the authors are soon recognized locally; whereas, in Japan, the leading writers enjoy quite a national reputation. This does not imply that the Japanese pressman is well paid, any more than his Chinese brother, for the maximum salary of the former rarely exceeds a hundred pounds a year, and is oftener between thirty and fifty. The Chinese is even more poorly paid, which is some excuse for his system of blackmail; but, in fact, the whole theory of wages in China rests upon the universal custom of illegitimate perquisites.

The ownership of papers or their control is quite an understood feature of statesmanship in China and Japan, the oracle being worked more openly there than in our own candid West. Marquis Ito is credited with the control of one of the most influential papers in Japan. The use made of the Japanese press has been very skilful. At the psychological moments in diplomacy, expression of public opinion has been checked, or let loose, in a most effective and useful manner, and no untimely comments or indiscretions have been permitted to "embarrass the government." In contrast with this careful organization, the Chinese control has been ineffective. The late Li Hung Chang once had a startling evidence of this in his own paper at Tientsin. He had just put through a "deal" with an adventurer, who called himself Baron Mickiewitz. This man represented that he had the capital

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of all the leading bankers of the United States at his back, and, succeeding in convincing Li Hung Chang of his *bona fides*, obtained from him something in the shape of a concession which was to confer control of all future Chinese railways. It was a peculiar transaction in which neither side had the power either to sell or to buy, and Li probably did not imagine that he was granting anything worth having. The *douceur* customary on such occasions was the one feature which he considered essential. The whole transaction was exposed before it was concluded in an English paper at Shanghai, and by an error of the native editor, who was "conveying" his foreign news, was bodily transferred to Li's own paper, where he read the denunciation of himself couched in most unmeasured terms. In the paroxysm of rage into which he fell, he desired nothing less than the heads of the editor and all the staff, but an ingenious European adviser restored peace by assuring His Excellency that the incident, if he took no notice of it, would only illustrate his own complete indifference to all criticism, and place him on a lofty plane where such unfounded rumors could not reach him. The effect of this attitude on the Court at Peking, it was gently insinuated, would be useful in case of any action on the part of the censors.

It is interesting to note that the influence of the modern Chinese press is in favor of reform, and that two distinct schools of opinion have grown up. One is headed by Kang-yu-wei, the arch-reformer and friend of the Emperor, who since 1898 has been obliged to take refuge chiefly in Hong-Kong, whence he continues to issue literature which has as its aim the wholesale reformation of China on the most advanced European principles. There has been, even in Japan, a party which favored this method of reform, and it was the key-note of the aspirations which cost the young Emperor Kwang-sü his liberty. Its wisdom is doubted by many who desire a regenerated China, but owing to the revolutionary spirit of Southern China it is sympathetically received there. The more moderate reform movement, which embraces no anti-dynastic programme, is headed by a man named Liang (also one of the fugitive Reformers), resident in Japan, who enjoys a reputation not only in China but in Japan as a writer and thinker. He follows the journalistic method initiated by Captain Brinkley in his paper, "The Japan Mail," which has had so powerful an influence on the reform movement in Japan, and is

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moderate in suggestions and criticisms, deprecating haste or wholesale revolutions, because of the peculiar conditions of China.

The attitude of the press towards foreign affairs varies, naturally, with the nature of the inspiration behind it. The purely native papers are no more inclined to give a true perspective to world affairs than formerly, and, as has already been said, in borrowing their foreign news they frequently introduce imaginative emendations to the text. A very real and powerful movement has, however, become patent in the American boycott, which is largely stimulated by the press, and it must be remembered that the Chinese are easily inflamed by their reading. The action of the guilds and chambers of commerce, in connection with the boycott of American trade, shows a unity of purpose between the commercial class and the *literati* (who are the press) which is very significant.

One of the most interesting phenomena of modern China, largely due to the spread of journalism, is the introduction of modern subjects into the literary examination papers, and it would not be possible in an article on this subject to omit mention of a society which, while not forming part of the purely Chinese press, is still working on similar lines to increase the knowledge of the people. The "Society for the Diffusion of Christian and General Knowledge," although largely supported by missionaries, has many lay adherents, both European and Chinese, and, by printing at its press in Shanghai some of the classics of Western Europe in the Chinese tongue, it is opening a new world of thought to the people. The statistics of this society are extraordinarily interesting as an index to the mental development of the Chinese. In 1904, they printed two hundred and twenty-four thousand copies of new books, and their reprints amounted to seventy-seven thousand. This by no means represents the total of European books circulated in China, since these publications are extensively pirated, all the best being seized upon as soon as published, photolithographed or set up anew in different type, and sold very cheaply. No less than six editions of one book were found in Hangchow at the same time, and the Society estimates that, at the lowest computation, their output is increased five times by piratical methods. The range of these books is very wide. Herbert Spencer and all philosophical works are naturally favorites, but the demand for such books as "Little Lord Fauntleroy" and "Handel's Mes-

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siah" on the one hand, and for the "Review of the Times" or "Lives of American Presidents" and "Women in All Lands" (11,000 copies) on the other, shows a more catholic taste in literature than one would have expected. The great value of the publications of the society is that they are an antidote to the insidious propaganda which seeks to unduly elevate Japanese civilization, as distinct from its European prototype, and correct the superficial view of such matters gained by Chinese in their colleges or in Japan.

While Europe and America must acknowledge that they were in certain respects unsuccessful in their attempts to rouse China from her centuries of sleep, and that the example, as well as the precept of Japan, is having a greater effect, yet both Chinese and Japanese need to be reminded that without the West the Far East would still be dormant. The Chinese press, now so largely dominated by Japan, was initiated by Europe, and the high-class popular literature of the day is also almost entirely Occidental in its origin. The testimony of Chinese themselves to the influence of this literature is of great interest, and it should spur all those who do not like to see human effort wasted to help the society which is diffusing this literature. A greater danger threatens Christian and Occidental influence in China than any mere persecution of foreigners, and it threatens to destroy the careful work of years. It is not in any feeling of antagonism to Japan that one should desire to strengthen Western influence in China, but because the present problem before the progressive Chinese is being stated to him unfairly. He should know what our civilization and religion and philosophy are before he rejects them finally. Japan, having wisely reformed herself on Western lines, retains her Oriental heart. This may be possible for China, or it may not. In any case, through press and through literature let us do our best to give her a true perspective. When we remember what power this rapidly growing press and literature have over the vast population of China, and what that power may grow to be; when we remember that our own press and literature are the models and the sources of inspiration, and that the attitude of Great Britain and the United States is eagerly watched and commented on in hundreds of these papers and publications, we shall, perhaps, realize more clearly our own responsibility.

ARCHIBALD R. COLQUHOUN.

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INDUSTRIAL PROGRESS IN PORTO RICO.

BY BEEKMAN WINTHROP, GOVERNOR OF PORTO RICO.

THE sweeping criticism implied in the title of the late General Roy Stone's article, "Our Failure in Porto Rico," which appeared in the September number of this REVIEW, as well as his inaccurate comparisons and statistics, has induced me to make a brief reply, to correct, in so far as possible, the unjust impression which the article gives of the results of American administration in this island.

Let me state at the outset that the provision of the joint resolution of Congress of May 1st, 1900, of which General Stone complained, has undoubtedly restricted the investment of American capital in large agricultural undertakings, especially in the construction and operation of sugar centrals or mills for the grinding of the cane. This resolution provides that: "Every corporation hereafter authorized to engage in agriculture shall, by its charter, be restricted to ownership and control of not to exceed five hundred acres of land; and this provision shall be held to prevent any member of a corporation engaged in agriculture from being in any wise interested in any other corporation engaged in agriculture." The construction of a sugar central, with its very expensive and complicated machinery, requires the investment of a large amount of capital. The two centrals built since American occupation, for example, represent each an outlay of, approximately, two millions of dollars. To secure a proper return on this investment, the central must be assured of an unfailing supply of cane to keep its plant in operation day and night during the grinding season. For this purpose, the control of five hundred acres of land is entirely inadequate. The modification, if not the repeal, of this restriction is desirable; and it is to be hoped that Congress will take such action during the present session.

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But, however advantageous such action by Congress would be, it is by no means the legislation most necessary for the future of the island. It is far more essential that the coffee of our tropical possessions, Porto Rico, Hawaii and the Philippines, receive the stimulus of a protective duty. Again, it is manifestly unfair to place the responsibility for the commercial depression suffered in Porto Rico immediately after the Spanish War, and still felt in the coffee trade, solely upon the restrictions of this congressional resolution. Less than ten months after the American occupation, on August 8, 1899, Porto Rico was devastated by the most disastrous hurricane known in the history of the island. Probably ninety per cent.* of the coffee crop, which at that time formed the principal basis of the wealth of the island, was destroyed, and by far the greater part of the plantations was seriously injured by the uprooting of the shade-trees, under which the coffee grows, as well as of the coffee-plants themselves. In some instances, indeed, the rich soil of the hillside plantations was washed into the valleys below and only the bare rock left. Millions of dollars' worth of property of all kinds was wiped out of existence, and approximately three thousand lives were lost. Practically all the coffee-planters at that time were carrying on their operations by means of borrowed capital, the land and ripening crop being heavily mortgaged, and the proceeds used in educating their sons and daughters in Europe and in the United States, and in extending their planted acreage. The cyclone not only deprived them of the means of paying either the mortgages or the interest, but left them without a possible means of securing additional credit to repair the damage done and to plant anew. The right to foreclose mortgages was suspended for two years; but still there was no way by which the planters could secure the necessary capital, and the lack of cultivation during these years completed the disastrous work begun by the cyclone. The situation immediately before and after the war is thus described by a Porto-Rican of considerable experience:

"Not all of the planters prospered, however, during the long period of good prices. Excessive expenditures, unnecessary expansion in buying new lands, money borrowed at high interest, and other causes, principally the changing from the gold basis to silver, which apparently, but

* Report of Brigadier-General Davis, Military Governor of Porto Rico, p. 211.

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only apparently, favored their interests, resulted in bad times for the planters, who found themselves involved in debt. The war came; burning of plantations was of daily occurrence, the demand from Spain and Cuba was annulled, and the price was lower than could be remembered in a generation. Hopes, however, were bright for a good crop and good prices, but the hurricane of the 8th of August brought the final collapse."*

Nor was coffee the only crop injured. Extensive damage was done to sugar-cane, cocoanut and orange trees. This disaster, however, certainly cannot be placed at the doors of the United States Government. Other causes, beyond the control of the Government, at the same time injuriously affected the industrial situation. At this time, also, the price of coffee fell, owing to the large amount of this product exported from Brazil, while the necessary readjustment of the channels of trade caused by the change of sovereignty and the loss of the free Spanish market, naturally contributed temporarily to retard the industrial progress. Not only is it manifestly unfair, therefore, to contrast the conditions existing in Porto Rico under the Spanish and American rules by a comparison of the value of the exports for the two years prior to American occupation with those for the two years immediately subsequent, as General Stone apparently attempted to do at the beginning of his article, but these figures themselves are misleading. He states the "value of merchandise exported from Porto Rico for two years before the American occupation, $36,051,632; same for two years after occupation, $16,769,040." Now, the value of the exports for the two years prior to the American occupation is here expressed in silver, while the exports for the two subsequent years represent gold. Brought to the gold standard, by taking the generous basis at which the Spanish "peso" was redeemed by the United States Government, the correct figures as shown by custom-house statistics should be $22,548,805 for the years 1896 and 1897, as compared with $16,769,040 for 1899 and 1900; a showing which is not so damaging when one considers that, immediately prior to the American occupation, two-thirds of the total value of the exports consisted of coffee, which, as has been stated, was almost entirely destroyed by the hurricane of 1899. It was due to this disaster that the exports declined from $10,156,541 in 1899 to $6,612,499 in 1900.

* M. Badrena, in "The Report of the Census of Porto Rico, 1899," page 126.

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The following table of the values of the exports of the three principal agricultural products of the island will show a steady and healthy increase, with the exception of the trade in coffee, of which I shall speak later:

Fiscal years ending June 30th.

	1901.	1902.	1903.	1904.	1905
Sugar	$4,715,708	$5,890,302	$7,470,122	$8,690,814	$11,925,804
Coffee	1,678,765	3,195,662	3,970,574	3,903,257	2,141,009
Cigars and Tobacco	683,511	1,763,821	1,958,008	1,747,066	2,590,609
All other Products.	1,505,983	1,584,171	1,690,375	1,924,766	2,052,143
Total Exports..	$8,583,967	$12,433,956	$15,089,079	$16,265,903	$18,709,565

Comparing the two calendar years prior to the American occupation with the last two fiscal years, it will be seen that the value of the exports during the former period was $22,548,805, as compared with $34,975,468 during 1904 and 1905, an increase in eight years of over fifty per cent. During the past five years, the sugar crop has increased more than one hundred and fifty per cent., while tobacco has advanced nearly three hundred per cent. The large increase in the value of the sugar exported during the past year is due, it is true, in part, to the unusually high prices which have prevailed; still, the amount has about doubled during the past five years and now reaches more than 135,000 tons—thirty-five per cent. more than General Stone estimated. General Stone further stated that, at the present time, the island produces much less sugar "than in its palmiest Spanish days." This is incorrect. The largest amount of sugar produced in Porto Rico in any one year prior to American occupation was in 1884, when 109,000 tons were exported, or about four-fifths of last year's crop.* In 1897, the last year of Spanish rule, this amount was reduced to 63,530 tons, less than one-half of the quantity for the past fiscal year. Many more acres have recently been planted, and the sugar crop for the present year will undoubtedly be considerably greater in quantity—twenty per cent., according to a conservative estimate—although it is doubtful if it will bring as good prices. Up to the present time, but little or no attention has been given to the scientific use of fertilizers. Through systematic irrigation and fertilization the yield per acre in Hawaii has reached an average of six tons, and in some instances, in favorably situated plantations, the enormous production of fifteen

* "*Estadistica General de Comercio Exterior de la Provincia de Puerto Rico.*"

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tons per acre has been reached. The average yield in Porto Rico is barely two tons per acre, but there is no reason why, with the same care given to the land as in Hawaii, the tonnage per acre should not be nearly the same. At the present time, in addition to the two centrals mentioned by General Stone, a number of mills have been remodelled and equipped with modern machinery, and two large sugar centrals are under construction on the east coast. These will, undoubtedly, do much to introduce scientific methods of cultivation.

Unfortunately, coffee has not such a bright outlook and, indeed, stands in urgent need of some measure of relief at the present session of Congress. In 1896, when the maximum was reached, 58,772,749 pounds of coffee were exported, at a value of $8,318,604 in gold. The year after the cyclone the amount dropped to 12,157,240 pounds, valued at $1,678,765, and last year the export of this product reached only 16,849,739 pounds, valued at $2,141,009. Thus it will be observed that this crop, which, prior to the cyclone, formed the basis of wealth in Porto Rico, has never recovered from the disaster, and represents now but twenty-five per cent. of its former value. This unfortunate condition is even more serious than the figures would indicate, as coffee is preeminently the crop of the small proprietor. The United States census of Porto Rico for 1899 gives the number of coffee plantations as 21,693, and the entire area planted 197,031 *cuerdas,* (a *cuerda* being practically the equivalent of an acre), an average of only nine *cuerdas* per plantation. Compare this with the United States, where in 1890 the average farm contained 137 acres, of which 78 were improved.* The extent of the coffee-plantations at that time is also surprising. According to the same census, forty-one per cent. of the total cultivated acreage of the island, nearly one-tenth of its entire area, was planted in coffee. To the small owner, the cultivation of coffee is comparatively easy. But little capital is required, provided that the planter can wait the necessary six or seven years for the trees to reach maturity. Expensive implements are not absolutely necessary, and the peon or day-laborer, with the aid of his family, can readily cultivate three or four acres, at the same time devoting a portion of the year to work on the larger plantations. Moreover, conditions of labor on coffee-plantations among

* I have not at hand statistics for 1900.

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the hills and under shade-trees are healthier than in the sugar-cane fields on the coast, where there is no protection from the direct rays of the sun. Another reason for the importance of coffee to Porto Rico arises from the fact that the interior, and by far the greater, portion of the island is mountainous, and therefore well adapted to the cultivation of coffee, although not suitable for plantations of sugar-cane, cocoanuts, or Sea Island cotton. Thus, no other crop can be substituted in its place. Upon the future of this product depends the prosperity or poverty of a very great section of the country. The solution of the problem lies in an import duty of from three to five cents per pound on foreign-grown coffee. This is the greatest need of the island at the present time, immeasurably greater than the modification of the restriction upon the holdings of agricultural corporations, however advantageous such modification would be. Objection has been made that such a duty would compel a large portion of the inhabitants of the United States to contribute to the benefit of a few, as Porto Rico can at best supply but a small percentage of the coffee consumed. The Philippines and Hawaii could, however, add greatly to this supply. The greatest production in Porto Rico, in round figures, 59,000,000 pounds, can be increased several times, while it is estimated that with a protective duty Hawaii could produce upwards of 100,000,000 pounds. The Philippine Islands, with their large area, would add greatly to the supply of this product, which a few years ago ranked fourth in its list of exports,* but which has of late years been grown only in insignificant quantities. All well-wishers of Porto Rico are therefore anxiously hoping for legislation by Congress looking to the encouragement of this industry.

In addition to the products mentioned, there are encouraging signs of activity in other branches of agriculture, such as Sea Island cotton and citrus fruits. During the past fiscal year, 514,122 pounds of excellent cotton, valued at $138,386, have been exported. The cultivation of citrus fruits is still in its infancy, but there are promises of an excellent crop within the next two years. Several thousand acres are already set out in orange groves, and a small supply of excellent fruit has been produced.

It is encouraging to notice from the following tables that the balance of trade has of late been in favor of the island:

* The Census of the Philippine Islands, Vol. IV., page 76.

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Fiscal Year.	Imports.	Exports.	Excess o. Imports.	Excess of Exports.	Tota Exports and Imports.
1901	$9,366,230	$8,583,967	$782,263		$17,950,197
1902	13,209,610	12,433,956	775,654		25,643,566
1903	14,449,286	15,089,079		$639,793	29,538,365
1904	13,169,029	16,265,903		3,096,874	29,434,932
1905	16,536,259	18,709,565		2,173,306	35,245,824

In view of General Stone's remark that the country is "poorer than ever," it is interesting to compare the total trade of the island for the past few years with statistics for the three years prior to American occupation. The value of the total exports and imports for these years was as follows: 1895, $19,946,793; 1896, $22,771,474; 1897, $21,859,645. In the past eight years, therefore, the total trade of Porto Rico has increased over sixty per cent. For the fiscal year just concluded, the figures are the highest reached in the history of the island.

It is true that there are but few railways in Porto Rico, but more has been accomplished than was asserted by General Stone. The American Railroad Co. has in operation approximately 171 miles of road, one-fourth having been built since American occupation. Twenty-seven additional miles of road are now under construction by this company and will be completed within a year. Short electric lines have also been built between San Juan and the town of Rio Piedras, seven miles distant, and between Ponce and its port; and two other steam-railway lines, one on the south and one on the east coast, are in process of building. The railway mileage is approximately equal to that of the neighboring island of Jamaica,* which closely resembles Porto Rico in topography, climate, latitude, area, and fertility of soil. The mileage is not great, but it must be remembered that Porto Rico is only one hundred miles long by thirty-six wide.

The statement that there are 600 deaths monthly from starvation is totally untrue. In countries such as Porto Rico, where a careful diagnosis of disease is not always made, this being the case especially in the poorer districts where physicians are frequently not at hand to attend to the sick and dying, it is somewhat difficult to refute such a fanciful statement by definite statistics of the various causes of death. It will be a sufficient refutation, however, to state that for the past fiscal year the

* Jamaica is an English colony, situated some five hundred miles west of Porto Rico, between 17° 43′ and 18° 32′ North. Its area is 4,207 1-6 square miles. Its railway mileage is 184½. Porto Rico is situated between 17° 50′ and 18° 30′ North latitude. Its area is approximately 3,606 square miles. Its railway mileage in operation is 187.

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death-rate for all causes was 22.73 per thousand, a low rate for a tropical country,* and less than at any time during the ten years prior to American occupation. During the years from 1888 to 1897,† the death-rate varied from 24.6 to 34.4 per thousand, the average being 29.6. Furthermore, in spite of the steadily increasing population‡ and the greater care exercised in registering all deaths that occur, there were actually fewer deaths last year than in any year, with but one exception, since 1887. Formerly, many deaths due to uncinariasis, a disease caused by a parasitic worm, readily curable, but which in many aspects resembles starvation, were attributed to that cause. Possibly this was the case in the statement quoted by General Stone, but even this would not explain the figures. The Insular Government has recently established stations throughout the island for the treatment of uncinariasis, under the direction of able physicians, and many thousands of cures have been effected. In the months of June, July, August and September of this year, more than 16,000 cases have been treated with signal results. It cannot be denied, however, that the peon, especially in the coffee regions of the interior, is poor—indeed distressingly so; his house is badly constructed and his clothes are but scanty. Tropical fruits, especially the plantain, however, grow readily, and with but little labor a crop of potatoes or Indian corn, sufficient to keep body and soul together, can be cultivated. Not a very cheerful picture, certainly, but one which again points to the necessity of stimulating the coffee industry. The problem of uplifting and improving the condition of laborers in tropical countries, always difficult, is rendered far more serious in Porto Rico owing to the density of its population, approximately 264 inhabitants to the square mile.

At the beginning of his article, General Stone quoted an extract from "The Expansionist" of February, 1902, to the effect that "a responsible contractor of San Juan quotes common labor at thirty cents per day of eleven hours, and mechanics at one dollar." I have consulted several of the most important contractors in San Juan, and all give a much higher rate. One

* In Jamaica with considerably less density of population (189 to the square mile), the average death-rate for the years 1896–1904 was 22.1 per thousand.

† The statistics I have at hand run back only through the year 1888.

‡ The population has increased approximately 25 per cent. since 1888.

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quotes unskilled labor at seventy cents and skilled labor at one dollar to three dollars and fifty cents for an eight-hour day. Another reports unskilled labor at seventy-five cents to one dollar, and mechanics at one dollar and fifty cents to two dollars and twenty-five cents for a nine-hour day. A third fixes eight cents per hour for unskilled labor, and fifteen to twenty-five cents per hour for skilled labor. The largest tobacco company in San Juan pays one dollar per day of nine hours for unskilled labor. Dock laborers receive sixteen and one-half cents per hour on regular working-days, and twenty-five cents per hour on Sundays, legal holidays and for night labor. Outside of San Juan the price of unskilled labor is lower, averaging between forty and sixty cents per day.

There is always a class of men, especially in any new field or enterprise, whose excessive optimism leads them to plan alluring projects, and in their forecast to show a magnificent disregard for the obstacles and difficulties which must be overcome before success is attained. Sooner or later, but inevitably, their iridescent bubble of optimism is pricked. Porto Rico was no exception. When General Miles landed in Guanica on July 25th, 1898, there were those who, without knowledge or experience of the natural conditions in the tropics, climatic and otherwise, imagined that the island would immediately leap forward into untold prosperity, and that there would be a tremendous "boom," a condition that is frequently dangerous, often artificial, and always disastrous when the reaction sets in. That there was no such boom is due principally to the ravages of the hurricane; but the disappointed expectations have led to the charge that the United States has failed in Porto Rico. The foregoing statistics will prove that there has been no failure. With the exception of coffee, there has been a steady and natural advance along all industrial lines. The following translation of an extract from the annual report of the President of the Porto-Rican Chamber of Commerce, Señor Manuel Paniagua, for the year 1904, illustrates the opinion of a prominent and capable Porto-Rican on the industrial condition of the island:

"The financial situation of the island, as I said before, has improved greatly in comparison with preceding years, and the future now appears brighter. But one cloud on the horizon of our prosperity prevents its becoming instant and complete. This cloud is the coffee crisis. If, in

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their struggle for existence, the coffee-planters manage to hold their own during the time necessary for the production and the world's consumption to counterbalance each other, or, until the United States Congress no longer delays in granting tariff protection, the coffee industry of our island will have been saved, and we may then congratulate ourselves upon our complete economic welfare."

I have spoken only of industrial conditions, but much has been accomplished in other ways. Peace and order prevail; justice is amply provided; the courts are honest and free from personal or political influence; civil and criminal codes, based upon statutes in force in the United States, have been introduced; 275 miles of first-class macadam roads have been built, as contrasted with 166 miles constructed under the previous régime. Sixty-two public-school houses have been built or are under construction. These are much needed, none having been built prior to American occupation. More than double the number of children are being educated; more than double the number of teachers are employed, and more than double the number of schools maintained.* In fact, with protection to coffee, and with the repeal or the modification of the restriction of which General Stone so bitterly complained, the industrial development of Porto Rico seems assured. Its fertile soil and abundant rainfall, its beautiful scenery and magnificent winter climate, and its location on the direct line of commerce to and from the Panama Canal, all promise well for the future. It is too much to hope for immediate and universal prosperity, but the island is rapidly emerging from a most serious crisis, and is now on a firmer economic basis than ever before.

BEEKMAN WINTHROP.

* June 30th, 1898—Schools maintained, 551; school-children enrolled, 25,644; average attendance, 18,243; teachers employed, 551. (Report of Brigadier-General Davis, Military Governor of Porto Rico, May 9th, 1899—May 1st, 1900.) 1905—Schools maintained, 1,104; school-children enrolled, 68,855; average attendance, 45,201; teachers employed, 1,210.

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THE HUNGARIAN EMIGRATION LAW.

BY BARON LOUIS DE LEVAY, EX-M.P., ROYAL COMMISSIONER OF EMIGRATION.

THE emigration policy of the Hungarian Government and the administration of its emigration laws have recently been the subject of much misrepresentation by a portion of the American press. They have been discussed in a manner calculated to bring Hungary and her people into disfavor in America, and to disturb the cordial relations existing between the United States and the Kingdom of Hungary. Falsely colored reports have been industriously circulated, to the effect that the Hungarian Government is applying the emigration law solely with the purpose of encouraging emigration in the interest of the Cunard Line. Newspapers hostile to Hungary have degraded themselves by the absurd and wanton statement that Hungary is making use of her emigration law to rid herself of undesirable elements of her population, and to disgorge her criminals, wastrels and proletarians.

The time has clearly come to contradict these and similar misrepresentations, by a public declaration of the motives which have induced the Hungarian Legislature to regulate emigration by law, and to make it possible that it should be conducted *via* Fiume; and it is earnestly hoped that, by a plain and candid explanation of the emigration laws and the circumstances which have led to an arrangement with the Cunard Company, the maliciously disseminated and palpably false representations may appear in their true light and colors.

The number of emigrants from Hungary to the United States during the last two decades of the nineteenth century, and as late as the year 1899, averaged from twenty to thirty thousand annually. It then increased, in a sudden and most surprising way, to more than sixty thousand, and in 1903 even rose to 120,000.

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The emigration movement began toward the end of the seventies. The Hungarian Legislature tried then to check it; and, with that intent, passed the law of 1881, which was primarily directed against the mischievous practices of Continental shipping agents, who had already manifested a lively activity in Hungary.

This law, however, proved to be inadequate. The agents of the shipping enterprises that were then rapidly developing continued to multiply, and they made their bold alertness felt through an increasing emigration, although, to check it, the Government forbade advertisements of shipping companies, and warned the people against the misleading economical promises of the agents. These preventive measures of the Government were thwarted by the greed and cunning of the agents, who, in shipping emigrants, made a double profit of which the commission usually was the smaller part, being greatly exceeded by the profit accruing from a shameful plundering of emigrants on their journey from the borders of the Monarchy to the northern ports. It would lead us too far if we should begin to quote individual cases, and to bring to public notice every abominable artifice of the secret agents and their accomplices. They resorted to every expedient by which they could ship the largest possible number of emigrants, and hesitated at no desperate device by which they could rob them of their savings on their journey through the European Continent. Many and pathetic are the instances in which, wretched and deceived, the poor people, without reaching the ship which was to convoy them to the promised land, have been obliged to turn home again robbed of all their little possessions.

From the many tricks practised by agents, and by subagents in their service, we will select those only by which emigrants, instead of being sent directly to the port of sailing, were under fraudulent pretences detained upon their journey. They were held in small cities and taken to places of notorious repute, where they were swindled out of their money under innumerable pretexts, one of which (often put into practice) was to make the unfortunate dupes believe that they had to submit repeatedly to medical examinations, at which usually some quack—often the nearest railroad carrier—posed as the physician, and shared his honorarium, frequently amounting to twenty or twenty-five florins, with the impostors.

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These intolerable conditions reached a climax in 1901 and 1902. The country, which is far from being overpopulated, lost every year more than one hundred thousand of its people, and called urgently for relief from the daring activity of foreign agents and their native accomplices—the latter often being saloon-keepers and store-clerks recruited from the ranks of the impecunious country population. The relief came with the law of 1903, sanctioned by the Crown, which furnishes the Government with the means to restrict emigration (as far as possible), and to lead the inevitable current of emigration into a channel that would enable the Government to remove entirely the abuses from which the country and the people have so sorely suffered.

On the formulating of the law of 1903—the drafting of which was preceded by a thorough study of the emigration laws of foreign countries—there were, among the members of the Legislature, as well as among the organs of the press, many who, in accordance with public opinion, demanded that the emigration evil should be radically ended by a formal prohibition. However much such a radical remedy might be demanded by the economical interests of Hungary—for Hungary loses taxpayers by the emigration, and does not give up to America a superfluity of labor, but rather such as could very profitably be employed at home—it could not be expected, consistently with the liberal principles of our State Institutions, that such an effective but reactionary measure could be taken into serious consideration by well-advised statesmen. The principle of personal liberty, maintained by us, absolutely excludes a general prohibition of emigration. In some form, however, an effective check to emigration is the ultimate problem, to be solved in time by carefully conceived and arranged economical and industrial enterprises, which will offer to the people avenues to those higher wages which at present are looked for beyond the sea. Until such an economical process matures, emigration must be immediately regulated in such a manner as will subserve the best interests of the population.

This regulation was defined in the law of 1903. The provisions of the law are twofold. It contains enactments whose object is, when feasible, to prevent emigration and to protect the people from the fever of emigration; it also aims at securing the moral and material interests of those persons who have finally made up their minds to emigrate.

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Following this classification, we point, in the first place, to those provisions of the law which oppose or limit emigration. The following persons are forbidden to emigrate: parents who have not made provision for those whom they may leave behind; male minors who have not the consent of their parents, and female minors unaccompanied by a trustworthy and responsible person. Emigration is denied to persons who have not sufficient means at their disposal, or who, in some other respect, cannot comply with the conditions imposed for the admission of emigrants by the country of their choice. These provisions, by which the laws of the country of immigration are respected, require the strictest inspection also in the interest of the emigrants themselves, who are in this way protected against the harm which might ensue if, after arriving at their journey's end, they should be sent back as undesirable immigrants.

Emigration is absolutely forbidden to persons who have been criminally sentenced or who are under criminal investigation, and a mere reference to this legal provision should suffice to silence the absurd and flagitious tales which charge the Hungarian Government with a sinister attempt to get rid of criminals and feeble-minded persons by means of the emigration law. Emigration is forbidden to criminals and to the weak-minded. A rigorous observance of this interdict is guaranteed by the legal provision by which every emigrant is required to take out a passport expressly mentioning the country to which he intends to emigrate. Such passports can be obtained only by persons against whom there exists no legal interdict, or cause for restraining their liberty to emigrate.

The law further takes into consideration the restraining of individuals who attempt to propagate the emigration idea among the people.

It places an interdict upon speeches in public meetings recommending emigration, and upon advertisements, placards and notices in newspapers having the same object. Transgressions of these interdicts involve a penalty of two months' imprisonment and heavy fines. Like punishments are visited upon shipping companies, agents and private persons who, without the permission or knowledge of the Government, seek to promote emigration. Finally, we may lay special stress upon that legal provision by which individuals are forbidden to emigrate under

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promises of free or reduced passage made by a foreign country, a colonial company, or a private person.

The facts here given prove conclusively that the Hungarian Government, in its efforts to check emigration, from which its own country suffers irreparable economical and moral injury, has gone to the extreme limits of a free state against its free citizens. It is also patent that the Hungarian Legislature was not animated in its endeavor merely by a regard for the interests of its subjects, but that it was also anxious to respect the laws of foreign Powers, especially those of the United States.

It would unnecessarily weary the reader, should we mention all the measures taken by the Hungarian Government to secure strict compliance with its emigration laws. Suffice it to state that, for the purpose of watching emigration, a governmental frontier police has been organized, which at Fiume, and at all railroad crossings reaching beyond the borders of the country, subject emigrants to a rigorous examination, to ascertain whether every one who is bound for the North-American Union has complied with the legal requirements under which the United States admits emigrants into the country. It is a significant fact, indicating the control exercised by the Government, that, during the last eighteen months, not less than 2,000 secret emigration agents have been dealt with according to the law, and that at present 1,500 persons are under the surveillance of the police, suspected of promoting emigration.

We will now proceed briefly to enumerate those legal provisions which, exclusive of any political tendency, have only the humanitarian object of protecting persons who have firmly made up their mind to emigrate and concerning whom no interdict or restraint of emigration exists, and to assure them safe-conduct on their journey to the port of departure. Hereto belong certain regulations to which shipping companies, as well as their representatives, must rigorously conform. Thus, for example, none but Hungarian subjects having an unblemished record can be appointed agents, and that at a fixed salary (sections 13-19), exclusive of any commission. To each agent, appointed with the sanction of the Royal Hungarian Home Department, a distinctly defined territorial district is assigned, and he is not permitted to avail himself of the intermediation of subagents.

If the instructions are violated, the Government has the right

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(section 21), which in certain cases becomes an obligation, to take away the concession which had been granted, or to annul the permission to employ agents.

Apart from their fixed tariffs and time-tables, emigration transportation companies and their representatives are not allowed (sections 11, 12) to issue any publications encouraging emigration, nor to send out time-tables save to those who apply for them.

Only persons provided with a passport can take passage, and a passport is granted to those only against whom no obstacle to emigration exists.

Shipping companies carrying emigrants are legally obliged to provide accommodations adequate to the purpose. To assure compliance with this provision, the ships are frequently inspected by competent officials.

In the discussion of all questions connected with the regulation of emigration, the Minister of the Home Department is assisted by a council, the members of which are taken from the various commercial, industrial and economical concerns of the country, and strict compliance with the law is enforced by an expert especially appointed for the purpose.

The emigration law also provides for the creation of a fund, from which emigrants who have suffered some calamity that has rendered impossible their further maintenance in the country of their choice, may be furnished with assistance to facilitate their return to their homes. It is inconceivable that objection should be raised by Americans to that which provides for the return of those who otherwise would become a burden and a charge upon the United States.

The motives that prompt our countrymen to emigrate are always of an economical nature; and in the United States, therefore, they lead a life of industry and economy. When they send a portion of their savings, the fruit of hard toil and self-denying frugality, to the families left behind in the old home, they have a just claim to governmental care and protection against the subtle and insidious frauds of agents who settle among them for the purpose of arranging the transmission of money. The concentration of such transmissions of money into some trustworthy institution is, therefore, a matter from which the Hungarian Government, in behalf of the emigrants' families left behind in the old country, cannot withdraw.

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Nothing now remains but to discuss section 6 of the Emigration Law, which we have reserved until the last, because that legal provision forms the basis of that arrangement between the Hungarian Government and the Cunard Line which is so much discussed and so often misunderstood. By this provision, the Minister of the Home Department is authorized to lead the current of emigration in a direction which will render possible the close and complete control of it. The evils which have been mentioned can be effectually cured by this means, and among them those primary evils from which emigrants have had to suffer on their journey from the borders of the country to the port of embarkation.

The Hungarian Minister determined to direct the emigration to the domestic port of Fiume. As soon as the resolution of the Hungarian Government became known, the shipping companies which had hitherto solicited the transportation of Hungarian emigrants submitted proposals by which, referring to the large investments connected with the enterprise, the risks, etc., they asked for a considerable governmental subvention and a guaranty of a fixed number of emigrants.

The two most prominent German shipping companies went so far as to ask, in their joint demand, for an annual subvention of 500,000 Kronen (crowns) and a guaranty of 35,000 emigrants, together with a considerable number of returning emigrants. These propositions were not considered by the Hungarian Government.

It was at this time that a proposition was voluntarily submitted by the representatives of the Cunard Line to the Hungarian Government, stating that the Company was prepared to open a "Hungarian-American Line," with Fiume as the port of departure, without any subvention or guaranty whatever.

The only surety asked for by the Cunard Line was that, in case the number of emigrants in one year was less than 30,000, the Government should contribute a sum of 100 Kronen *per capita* of the difference, to cover a possible deficit. This proviso was originally inserted in the proposition, but was later omitted.

We consider it superfluous now to recur to the misrepresentation occasioned by the proviso of a fixed number of annual emigrants, because it is omitted in the second agreement. We may, however, call to mind how Prime Minister Count Stefan Tisza, replying to an interrogatory in Parliament, declared, amid the

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loud applause of the House, that the Government had no more fervent wish than to be obliged, through the turn of the tide of emigration, to pay the bonuses, and that he would put in motion every lever and engine of the State to bring the Government into that happy position.

It is unnecessary to enter into the separate provisions of the arrangement now in force. It was concluded on the basis of the emigration law and cannot contain anything contradictory to the separate provisions of the law already discussed. For a better understanding of the attitude and purposes of the Government, we may however state, in a broad and general way, that this action was by no means entirely and exclusively intended to serve the purposes of emigration, but that the Hungarian Government, in establishing a direct shipping connection with the United States, had in view the development of a closer and completer commercial intercourse with the Union. A statement of the excellent reasons for believing that such intimate commercial relation would result in great and advantageous development, would carry us beyond the limits of the present argument. Our object has been to make it clearly evident that the aim and purpose of the Hungarian Legislature and Government have been, through their emigration policy, to hold the subjects of Hungary to their own soil, without neglecting measures of precaution and protection in behalf of those who cannot resist a restless migrating craving, and finally to make those measures conform to the laws by which other Powers, and particularly the United States, regulate immigration.

We hope we have succeeded in bringing such incontrovertible and convincing evidence to the minds of fair-minded readers.

LOUIS DE LEVAY.

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A PLAN FOR REGULATING THE TRUSTS.

BY JOHN F. CRONAN.

THE American people have had presented to them for solution many questions of great importance, including in their scope every phase of human endeavor; and it has been their good fortune, except in rare instances, to settle such questions, and to settle them rightly, through the influence of public opinion, crystallizing into law.

Of all these questions, excepting those relating to the severance from the Mother Country and the abolition of slavery, no one of such far-reaching importance, affecting all of the people, has ever occupied their attention, or has been more likely to lead to serious results, than the question of regulating the vast aggregations of capital in the form of trusts, which seek control of all the raw and finished products entering into the daily necessities of the people and into every manner of public utility by which the wants of the people are supplied.

When a comparatively small number of men, able to control unlimited capital through combinations under the seal of the State, are permitted so to conduct their business that the public suffer and every section and class of people are compelled to submit to their exactions, it is not surprising that the people have become aroused and demand relief. State after State has recorded its protest; and the President and Congress, heeding this warning, are struggling with the problem with a view to finding a solution just alike to the people and to the interests affected. But as yet no plan providing for the supervisory control which is essential to the public interest has been presented.

In order to arrive at a correct conclusion as to how this trust question must be dealt with, we should determine what are the evils from which the people suffer through the trusts.

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The first and most important evil is overcapitalization.

The second is the unnecessary and unjust degree of protection afforded the trusts through the tariff.

The third is the failure of any substantial or uniform regulation by which the affairs of the corporation are made known in annual or more frequent reports.

The fourth is the lack of any legislation affording substantial protection in the way of supervising the power against discrimination or injustice, except by the cumbersome process under the Sherman Act; while, at all stages of its corporate existence, in its dealings with the public, the trust is under the protection of the Federal Government to the moment of judicial decision declaring the trust a monopoly in restraint of trade.

There may be differences of opinion as to whether the order of classification here stated is correct from the standpoint of relative importance; but it is believed that the chief difficulty will be found to arise from the inflated and illegitimate valuation which, in the absence of supervisory control, is solely within the discretion of the promoters. The ability to fix the capitalization arbitrarily, and the necessity, once this value is fixed, to give it in the eyes of the public an actual value, necessitates the uprooting of competition and the enforcement of economies by reduction in the number and salaries of employees, and, lastly and perhaps most important, by reduction in the price of the raw material and increase in that of the manufactured article.

While the other evils in the above classification are of great importance, they are restricted in their general power to harm, as compared with the widespread injury which not only follows the creation and practical working of the combination, but in fact constitutes the real inducing motive and furnishes the temptation which leads to the merger or consolidation of interests by which the trust is created. The course here outlined, if it would not prevent, would at least aid in controlling, the evil.

It is popularly asserted that the trusts are the creatures of the tariff, but this is not wholly true. Trusts which operate in protected articles are undoubtedly benefited, but many of the great trusts are not affected by the tariff. It should not be forgotten that the people have, at all times, under their own control the power to compel such a revision of the tariff as will remove any difficulty arising from the tariff; and, though the allied

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power of wealth may be able to defer such revision, it is nevertheless in the power of the voters of this country to compel such revision of the tariff as may be necessary in the public interest.

In many quarters it is asserted that the trusts are the result of an economic force, the result of natural laws, but it will be found on examination that this is not correct. The real force underlying the trusts is the desire for power and wealth which seeks to gratify itself through ability to control the raw and finished materials, whereby the market for the producer is limited while the price to the consumer is regulated.

The many business establishments which for years have flourished in this country could not be forced out of the hands of their former conservative controllers without some great and overwhelming inducement—that inducement was the power to capitalize at the will of the promoters of the trusts. So that, granting the force of the contention respecting the influence of the tariff, and assuming a revision on a just and fair basis, we are still without remedy to control the creation of the trusts. The conclusion seems inevitable that, if we are able to reach a basis as to the real inducement which leads to their formation and find it is due to the failure of existing laws to exercise that supervision which would prevent the exploiters from fixing a capital at their discretion, we shall be able to strike at once at the root of the evil by compelling submission, in the first instance, to an authority which will fix the value of the corporation, or business interests to be merged, at their true value. So that if the corporation or business sought to be merged into the trust found that no substantial advantage beyond the actual value was to be obtained by turning its corporation or property over, there would be ordinarily no temptation to do so.

To make the application, let us consider what would be likely to be the answer of the president of a well-conducted and paying corporation who was invited to turn over his corporation, with others in like business, to form the trust, solely upon receiving the value thereof. As a rule, there would be but one answer—a refusal. Threats of destruction by competition might be made, difficulties there might be to face, but these are the incidents of business and usually must be met under all circumstances. The promoters of a trust will find grave, if not insurmountable, difficulties in forcing a merger or consolidation of

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corporate interests, when the power to fix the capital applicable to the payment for the property to be acquired is taken from the individuals forming the trust, and placed in the hands of honest and competent men acting as a commission with full power to decide the true value of the property.

Let us consider from what source this supervisory power should come. The wide differences in the corporation laws in the various States preclude any hope of relief from that source in the absence of a constitutional amendment, and it is extremely doubtful, in view of the revenue which the various States receive from corporations, if any effective amendment to the Constitution could be adopted. The only hope of dealing with the problem, therefore, is with the Federal Government.

In taking over a corporation, but little difficulty would be experienced in determining the value of the tangible, active or live assets of the business. The difficulty comes in determining the value of the good-will, trade-marks, patents, etc. In the absence of supervisory power, the valuation of the latter elements of property is left wholly to the promoters of the enterprise. There can be urged no ground of objection to a corporation whose capitalization is restricted by reasonable and fair limitations under proper control or regulation. That is, a corporation which is honestly capitalized issues its certificates of stock, and these to the extent of the issue represent the true value of the property of the corporation. The State receives its tribute in taxation, the stockholders as a rule receive a fair return, and there is no reason for forced economies in dealing with the employees or arbitrary inflation of prices, in order to earn a dividend.

But when, in the absence of regulation, the capital has been inflated to a point many times in excess of the true value of the assets of the corporation, it is obvious that, to enable this artificial capital to net the promoters a substantial return, there must be manipulation of the price at which the products can be bought and sold, operating unjustly to the producer and consumer, and the forcing of economies resulting in many instances in the loss of employees who have been sacrificed to pave the way for dividends to give the inflated stock a market value.

This, however, is not the limit of the promoters' enterprise. They go beyond the methods here described. In the ordinary case of the shares of common carriers or *quasi*-public corporations

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offered to the public through the medium of the Stock Exchange, certain regulations are prescribed requiring a sworn statement of the assets of the corporation, its earnings, and the general scope of the business, sufficient to enable a man to form a judgment of the value of the property which forms the basis of the market price from time to time. But in reference to many of these large industrial corporations a departure was made by the Stock Exchange; these corporations, being unable or unwilling to comply under oath with the requirements showing the actual value of the property and its true condition, were permitted to have their securities placed in the unlisted department of the Exchange. The real reason for declining to submit to the Stock Exchange requirements was an unwillingness to expose the inflated value placed upon their intangible assets and in many cases upon their live assets, and thus hide from the public the true value, affording an opportunity to the "insiders" to juggle with their securities and make and unmake the market price thereof. In this way, they are afforded all the advantages of the Stock Exchange, while escaping the regulations it has established for the protection of the public. Had the Stock Exchange taken an heroic stand, subordinated commissions to principle and refused its privilege of selling securities to such corporations as were unwilling to place true information as to their condition within access of the public and comply with the conditions imposed upon honest and well-regulated corporations, they would have been unable to foist their securities upon the public, and one phase of the evil complained of would have been remedied.

This branch of the matter is referred to because of the claim that the remedy lies in greater publicity in corporation matters. While this would, doubtless, afford some protection to investors and give some knowledge of the inner working of the combination, it is believed to be altogether too narrow a remedy to affect substantially the conditions which are at the foundation of the evil.

The effect of the recent suggestion of Commissioner Garfield as to a Federal license for corporations doing an interstate business would be to put the Federal Government in closer touch with the corporations, and afford the Government an opportunity to deal in many respects more effectively with the corporations than at present. But the trusts are creatures of the several States, and the plan proposed by Mr. Garfield would in no

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manner prevent their formation, although it might be helpful in removing the difficulties which their existence creates. His suggestion has provoked some discussion from corporation attorneys of high standing and from trust officials. They apparently would be willing to submit to Federal regulation in accordance, for example, with the suggestion of Mr. James B. Dill, if the problem could be worked out by the passage of a law permitting corporations to be chartered by the Federal Government, under the belief that their business could be thereby so regulated as to afford full measure of protection.

The difficulty with this proposition is, in the first place, a constitutional one. It is seriously to be doubted whether the Constitution, which in its present form reserves to the several States the right to create corporate existence, does not preclude the Federal Government from exercising any powers not expressly delegated to it under the Constitution. If, for the sake of argument, it be granted that under the commercial clause of the Constitution the power to control implies a right to create, and that Congress has power to provide a law for Federal incorporation, it is very clear that the several States would be loath through their representatives in Congress to express approval of an Act which would deprive them of the revenue which by the creation of these corporations they now have. But if, upon full consideration, it were found that to provide for Federal incorporation there must be an amendment to the Constitution, the hostility of the several States would prevent its adoption.

While it is very clear from the two recent decisions of the Supreme Court construing the Sherman Anti-trust Law that, under its provisions, a monopoly can be crushed, it will nevertheless appear that that legislation has proved inadequate to cope with many of the serious phases of the difficulty. That Act was not designed to control the merger of corporations, or to have any influence upon the creation of the trusts. It seeks to prevent combinations operating as a monopoly to the public detriment, to prevent imposition; but the people have suffered as much from the existence of trusts since the passage of that Act as before; and, however well disposed the Government may be to enforce the law, it is well understood that trusts can and do thrive, and the many evils which they create continue, without exposing them to the danger of prosecution under that Act.

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Some other way must be found to meet the difficulty, that will deal with the trust from the period of its formation. The means of thus dealing with the question is in the power of Congress, by the passage of an Act wholly within the scope of the commercial clause of the Constitution, regulating interstate corporations and imposing adequate penalties for its violation.

Such legislation should provide for the appointment by the President of a Federal Commission, or for the enlarging of the powers of the present Interstate Commerce Commission, to which all corporations hereafter formed to do an interstate business must first apply for a certificate of capitalization, which shall determine the value of the corporate property and fix the amount of capitalization and the method of payment for the same in the issue of bonds or stock. Armed with such a certificate of capitalization, the incorporators may apply to any State and secure a charter. No corporation thereafter formed shall have the power to transact business without such certificate. The Commission shall have the power to send for papers and to summon persons to its hearings, and to punish for contempt. No increase or reduction of the capitalization of any corporation doing an interstate business shall thereafter be made without the approval of the Commission. All corporations now or hereafter organized shall file reports annually, giving a true statement of their property and condition, in such detail as the Commission shall prescribe. All corporations doing an interstate business shall be required to have a Federal license, in accordance with the recent suggestion of the Department of Commerce.

Such commission must have the power to receive and hear complaints of unjust discrimination, and if, upon complaint, after a fair hearing, a corporation shall be found guilty of discrimination, or of fixing an unjust price or rate for its commodities or service, the Commission must have the power to impose a penalty sufficiently large to be prohibitive, with the additional power of depriving a corporation, for cause, of its right to do an interstate business by the revocation of its license.

No corporation shall have the power to lease or in any way acquire the property of another corporation without approval by the commission of the terms on which the same is acquired.

That such legislation can be sustained is made clear by many decisions of the Supreme Court of the United States defining the

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powers of Congress under the Constitution to deal with interstate commerce.

The commercial power conferred by the Constitution is one without limitation, including all the subjects of foreign and interstate commerce, the persons engaged in it and the instruments by which it is carried on; and while these powers are stated in broad and general terms and with no attempt to formulate a detailed code, "they possess an elasticity responsive to judicial interpretation, capable of adaptation to the needs of the people as evolutionary changes may require."*

Senator Knox, when Attorney-General, speaking of the power of Congress, said:

"If Congress, under the power to regulate interstate commerce, may utterly destroy a combination and forfeit its property in interstate transit, as the Sherman Act provides, it seems reasonable to say that it can, in the exercise of the same power, deny to a combination whose life it cannot reach the privilege of engaging in interstate commerce, except upon such terms as Congress may prescribe to protect that commerce from restraint. Such a regulation would operate directly upon Congress, and only indirectly upon the instrumentalities and operations of production."

And the late Senator Hoar, speaking of the power of Congress to deal with the subject, said:

"This bill depends for its validity on the constitutional power of Congress to regulate international and interstate commerce. It exercises that power by prohibiting artificial beings created by a power other than its own from engaging or continuing in such commerce, except on certain strict conditions."

It is believed that the legislation proposed will effectually control the situation, and that the immediate effect will be to prevent mergers resulting in these huge trusts. This step being gained, the avenues of trade will be left open for that orderly and healthy competition which is the life of trade; and, under its stimulus, this country will be able to maintain its position in the front rank of commercial Powers.

The aim of the proposed legislation is not radical or revolutionary. Its main principle has been in force in many States,

* Sherlock *vs.* Alling, 93 U. S., 99; Addyston Pipe Co. *vs.* U. S., 175 U.S., 211; Gibbon *vs.* Ogden, 9 Wheat., 1; Kidd *vs.* Pearson, 128 U. S., 120; Brown *vs.* Maryland, 12 Wheat., 419; *In re* Debs, 158 U. S., 564.

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notably in Massachusetts, in the power vested in the Boards of Railroad Commissioners and Gas and Electric Light Commissioners, not only to fix the issue of capital but also to exercise general supervision. The Railroad Commissioners have authority to recommend as to rates for transportation, with the right to appeal to the Legislature if such recommendations are not adopted; while the Gas and Electric Light Commissioners have full authority to fix the price charged for lighting.

The public demand and must have relief, and we should approach the question of solving the difficulty in a fair and candid spirit, not in a spirit of reprisal as some would exhort—as, for example, the suggestion of a concerted withdrawal of deposits from the Banks and a sale of all stocks and bonds. The problem is a difficult one, but it should not on that account be avoided.

If it shall be said that the legislation above outlined is limited in effect and applies only to trusts doing an interstate business, the answer is that it is only when the trust attains the dignity of entering the larger field of operations constituting interstate commerce that its power to harm becomes so general as to cause widespread injury to the public.

If it shall be urged that such legislation seeks to centralize the powers of Government, the answer is that there is no other plan proposed which will not only control, but will also tend to prevent the existence of, the trusts.

It is better that the Government should be strengthened, even at the expense of the criticism of centralization, than that the people shall be subjected to injustice; far better a Government of the people strong and resolute, than weak and inefficient.

The main proposition requiring supervision will doubtless meet with criticism, chiefly, however, it is believed, from two sources. Those who see at once that the unlimited power of exploitation which the trust promoters have been able to exercise must thereafter be subjected to supervision, will claim that the plan involves an unnecessary restriction upon the development of capital and business. But the necessity for curtailment of this power has been made so apparent in a recent special message of the President to Congress, and in other ways has become so obvious, that the argument will be powerless to influence a fair and reasonable mind. The second source of criticism will doubtless be found among the adherents to the strict doctrine of State

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rights; but reflection will show that no power of the State is invaded, and that there is no legitimate basis for the contention that the proposal in any way involves the rights of the State.

The delegation to a commission of authority to impose penalty for discrimination will, it is believed, provoke more serious opposition; but, looked at squarely, from the standpoint of justice, the objections can be met and answered. The trusts seek and secure from the Federal Government, as they are entitled to do, full measure of protection for their property in transit. Against whom is this protection sought? From the overt acts of the people, the very source from which the Sovereign receives its power. The Government stands, then, between the trusts and the public, with corresponding duties and obligations. What is the measure of such duties? To protect the interests of each. If, then, the corporation seeking protection from the Government in the proper conduct of its business is guilty of injustice to the public, the Sovereign would be impotent and wholly inefficient if it were not able to discharge these correlated duties. The people, from whom the Government receives its authority, complain of discrimination or undue exaction. The charge, after a fair hearing, is found by the Commission to be true. The body created to represent the Government has been clothed with authority to impose a penalty, and it is conjuring with the very objects of government to assert that that Government is powerless to act and administer justice in accordance with the obligation resting upon it. Shall we say that, while reaching out with one hand to protect the corporation, it cannot with the other prevent that same corporation from doing injury to the people, whom, in the exercise of its sovereign power, it has restrained from doing injury to the corporation, the very agency causing the injustice.

We have the right to regulate these corporations when necessity demands; if they decline to submit to regulation, they must cease to exist. Trusts are not necessary evils, they are not necessary at all; and the sooner the sovereign power of the Federal Government is asserted, that the octopus of wealth may not enthrone itself in the Hall of State, the better.

JOHN F. CRONAN.

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AMERICAN DEMOCRACY IN THE ORIENT.

A REPLY TO THE RT. REV. BISHOP BRENT.

BY JOHN FOREMAN.

WHEN I was in the Philippines in 1904, my American friends, from time to time, asked me: "Have you met Bishop Brent? Charming man! you ought to know him." I wish I had had that good fortune, but circumstances prevented it; otherwise it is possible that mutual sympathy would have inclined him to a more generous consideration of me in his article in this REVIEW, or even, perhaps, have led him to ask me for an explanation of what he chooses to denounce as historical inconsistencies.

We are told that my article published in "The Contemporary Review" is an unsparing attack on the whole American régime in the Philippines." As a matter of fact, it makes no allusion to that portion under military administration. The many encouraging and sympathetic letters which I have received, since I wrote the article, from Americans holding important official posts in the Islands, induce me to believe that I am not alone in regarding it as a fair, if perhaps too spirited, exposition of the true condition of affairs at that time. Nevertheless, I regret having written it, because it seems to have aroused that extreme sensitiveness in the American character of which I had no previous cognizance. I have too many friendships in America, some of twenty years' standing, to desire to create animosities.

The chief points noted as inaccuracies are as follows:

(1) "He says (p. 392) that, in August, 1898, 'every belligerent on the Spanish side in the Luzon provinces (and these belligerents numbered about 11,000) was a prisoner of the rebels.' In his book (p. 620), he states that, on August 13, 1898, the date of the capitulation of Manila, 8,000 Spanish soldiers were prisoners in the hands of the revolutionary forces and 2,400 in the

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hands of the Americans. The two statements are irreconcilable." I will now show that the two statements are quite reconcilable. Every one (in the Philippines, at least) understands the expression, "the Luzon provinces," to mean all the Island of Luzon outside the capital of the Colony. My book states as follows:

"The approximate number of European Spanish troops in the Archipelago, during the year 1898, would stand thus:

Total of troops under General Primo de Rivera in January, 1898, say	25,000
Shipped back to Spain by General Primo de Rivera in the spring	7,000
At the date of the Capitulation of Manila: Prisoners in hands of the rebels	8,000
Detachments in the Luzon provinces (subsequently surrendered to, or killed by, the rebels)	1,000
Killed or mortally wounded in general combat	1,000
Wounded and diseased in Manila hospitals,	2,600
Approximate total in Visayas and Mindanao (General Rios' jurisdiction)	3,000
Approximate total of able-bodied troops in Manila, prisoners of war (to America) up to the 10th of December, 1898."	2,400
	25,000

The above statement accounts for about 8,000 *regular troops* in the rebels' hands; but the rebels held, moreover, about 3,000 belligerents who were not soldiers, and therefore could not be included in the above statement. No one ever did, or will, know the exact number of these. They were civilians (chiefly Spanish civil servants of all grades), who had either volunteered or had been compelled by circumstances to bear arms against the rebels. I submit that the two statements are correct and consistent.

(2) "To what does our writer refer," asks Bishop Brent, "when he says (p. 393): 'For several weeks after the defeated army had embarked and the last vestige of Spanish authority had disappeared from Luzon, Aguinaldo's army still occupied positions around the capital. A provisional government was established at Malolos'? The statement, as Mr. Foreman puts it, is, historically speaking, nonsense." I will proceed to show that it is sense. In the military meaning, an army is a body of men armed for war. In the spirit of Article 8, of the Capitulation of Manila, the defeated army was still an army. At the same date, the prisoners held by the rebels (permanently dispossessed of their arms) had long since ceased to be an army in the military sense. The "defeated army," at that date, was that which surrendered to the Americans. Under Article VI. of the treaty, the prisoners of

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war, on both sides, were released on the signature (not the ratification) of the treaty. The "defeated army" was free to embark from December 10, 1898. The embarkation commenced in the first week of January, 1899, in the steamer "Leon XIII." Hostilities between Filipinos and Americans broke out on February 4, but the Filipinos did not instantly abandon their positions around Manila. The last vestige of Spanish authority disappeared from Luzon on August 13, 1898. Aguinaldo's government was established in Malolos on September 15, 1898. As late as January 17, 1900, a party of about 300 prisoners (in the hands of the rebels) reached Manila from Batanges. Bishop Brent does not distinguish between the defeated army which embarked with its arms, and the prisoners (of the rebels) who had long since ceased to be an army. I maintain that, for several weeks after the defeated army proceeded to embark, Aguinaldo's army held positions around the capital. The period in question was from the first week of January up to the second week of February, 1899.

What remains of Bishop Brent's strictures on my article is, in part, too trivial to merit refutation and, in part, a matter of different appreciation, and I will only refer to one point, of no importance in itself, but illustrative of the disputant's paucity of knowledge of pre-American Philippine matters on which he is a self-constituted authority. He does not like my expression, "the formidable band of highwaymen," and says they "*always have been* and are now called '*ladrones.*'" The fact is that "ladrones" (thieves) never had any special signification beyond the simple meaning *thieves,* before the American occupation. The word "*ladrones,*" in the sense in which it is now applied, is an American adaptation; the equivalent, in Spanish times, was "*bandidos*" or "*tulisanes.*" In like manner, the word "*hombres*" (men), as used by the American-Manila journalists, is an Americanism, which, I understand, signifies the lower-class or the riffraff. Its nearest equivalent used by the Spaniards was "*taos.*"

The sterling qualities of Bishop Brent, of which I have heard so much, preclude all thought of malicious intent in his attack on me. He is, naturally, an interested party in the continuance of American empire in the Philippines, whilst I have no private interest one way or the other, although I am of opinion that if American direct control were now withdrawn chaos would follow.

JOHN FOREMAN.

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WORLD-POLITICS.

LONDON: ST. PETERSBURG: PARIS: WASHINGTON.

LONDON, *December, 1905.*

MR. BALFOUR, as I write, is placing his resignation in the hands of the King. The climax, therefore, so much overdue, has come at last; and the manner of its coming, like almost every other development of the Balfourian tactics, has been surprising only in its insipidity. A lamer departure from office no man ever made; the Government ship sinks—in dock. I propose to review very briefly the incidents and motives that have combined to produce this singularly uninspiring result.

In the middle of November the National Union of Conservative and Constitutional Associations held its annual conference at Newcastle. These Associations are the local clubs and organizations of the Conservative Party throughout England and Wales. It is in only a limited sense that the yearly Conference can be said to speak for the whole Conservative Party. Scotland sends no delegates, neither does Ireland; and there are, I believe, scores of Conservative Associations in England that have not joined the National Union. Besides, the Conference has acquired practically none of the power and authority of an American Convention. Its proceedings are purely deliberative. It may pass, but it cannot enforce, resolutions. The Party leaders have never regarded it as more than a consultative body. The fact, therefore, that the Convention has voted in favor of a certain policy does not imply that that policy will find a place on the official Party programme.

Nevertheless, so great a body of Conservatives from all parts of the country, representing all that is most loyal and influential in their respective localities, cannot meet without exercising an authority that may be none the less effective for being informal and indirect. Some of the twelve hundred delegates were the paid

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agents and secretaries of local Conservative associations, but the majority of them, as is always the case in England on such occasions, were men of substance and leading in their neighborhoods and strongly attached by sentiment and conviction, but by no mercenary tie, to the Conservative cause. All of them were in the closest and most constant touch with local opinion, and their speeches and actions might therefore be rightly taken as reflecting the views of the rank and file. I was told by one who was present that ninety-nine out of every hundred delegates were overwhelmingly in favor of Mr. Chamberlain and Protection, and that, had Mr. Balfour gone half-way to meet them, he would have been greeted with an enthusiasm that might in a moment have transformed the Party fortunes. The proceedings of the Conference justified both statements. All the resolutions adopted were in favor of a forward fiscal policy embracing the taxation of food and Colonial preference. A resolution, claiming that there was no difference between Mr. Balfour's policy and Mr. Chamberlain's, was withdrawn; and an amendment, "cordially supporting" Mr. Balfour's scheme of Retaliation, found a seconder with the greatest difficulty and was ultimately rejected by 1,197 votes to 3. On the same evening Mr. Balfour addressed a mass-meeting of the delegates. So long as it was thought that he might yet toe the Chamberlain mark, the applause was continuous and encouraging. Directly it was seen that he had no intention of advancing beyond his chosen ground, murmurs began to be heard, listlessness succeeded, and the Prime Minister ended his speech utterly out of sympathy with the great majority of his audience. His appeal to them was to concentrate on that part of fiscal reform on which they were all agreed—his own policy, namely, of Retaliation.

Mr. Balfour's appeal was answered on November 21st by Mr. Chamberlain at Bristol and answered only to be disowned. "You must not," said Mr. Chamberlain in the course of one of the most vigorous and "forcing" speeches that even he has ever delivered, "you must not ask the majority, be it nine-tenths, or, as I think, ninety-nine hundredths, to sacrifice their convictions to the prejudices of the minority. No army was ever led successfully to battle on the principle that the lamest man should govern the march of the army. I say you must not go into the battle which is impending with blunted swords, merely in order to satisfy the scruples of those who do not wish to fight at all." Mr. Balfour

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at Newcastle declined to advance; Mr. Chamberlain at Bristol declined to retreat. The result was an internal deadlock which could only be broken by Mr. Balfour's resignation or by dissolution. Two days after Mr. Chamberlain's speech, "The Times" and "The Daily Telegraph" published articles which had been plainly inspired by either Mr. Balfour or his private secretary. The gist of them was that after the line Mr. Chamberlain had taken at Bristol the Premier had no option but to "reconsider his position." There was no difference of opinion between the two statesmen on the main issue. Both had broken with Free Trade and were bent upon bringing the edifice of Cobdenism to the ground. They differed merely as to the structure that was to be erected on the ruins of the old system.

For two or three days, then, we found ourselves in the midst of a Ministerial "crisis." Mr. Balfour, whom no by-elections had had power to move, who calmly disregarded a defeat in the House of Commons, and who had ignored or baffled the almost torrential impatience of the country to have the fiscal question brought to a vote, was now, it appeared, going to resign because Mr. Chamberlain's idea of the basis of party unity was not his. The country thought the reason singularly inadequate. The "man in the street" said plainly and emphatically that, if the confusion in the Unionist ranks was so great that Mr. Balfour, with a majority of seventy, felt himself unable to carry on the King's Government, the proper course for him to take was to wait until the Christmas holidays were over and the new registers came into force with the new year, and then dissolve Parliament. But Mr. Balfour reasoned differently. He argued that resignation would be sounder tactics than dissolution. If he resigned, the King would send for Sir Henry Campbell-Bannerman and commission him to carry on the Government. Sir Henry would have to form a Cabinet; the process might reveal divisions among the Liberals as serious as those that existed among the Unionists; in any case, the transfer of offices would to some extent rob the Liberals of the initiative of attack, and put them in some degree upon the defensive; attention would be so concentrated on the policy and personnel of the new Liberal Ministry that the record and the feuds of the Unionist administration might for the moment be partially forgotten. If Mr. Balfour did actually reason in some such way as this, his argument was immensely and unexpectedly reinforced by an inci-

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dent that temporarily obscured even the timid chaos of the Unionist Ministry.

On November 25th, Lord Rosebery delivered a speech at Bodmin in Cornwall, in which he referred to the following statement made by Sir Henry Campbell-Bannerman a night or two earlier at Stirling:

> "If I were asked for advice—which is not likely, perhaps—by an ardent Irish Nationalist, I would say, 'Your desire is, as mine is, to see the effective management of Irish affairs in the hands of a representative Irish authority. If I were you, I would take it in any way I could get it. And, if an instalment of representative control was offered to you or any administrative improvement, I would advise you thankfully to accept it, provided it was consistent with, and led up to, your larger policy.' I think that would be good advice."

Personally, I took that statement to mean that Sir Henry's Irish policy would be that of taking one step at a time; that there would be no heroic legislation, no attempt to resurrect either the Home Rule Bill of 1886 or its successor of 1893; and that he desired to win the support of the Nationalists to a programme of gradual administrative reform and progressively widening liberties. That this interpretation was the right one, I have no manner of doubt. Nobody who has seen anything of the leaders of English Liberalism during the past few years can doubt that the ambition to settle the Irish problem at a single comprehensive stroke has been effectually cured. Nobody, again, can doubt that the grant of local self-government, the Land Purchase Act of 1903, Sir Horace Plunkett's movement of agricultural cooperation, and Lord Dunraven's agitation for an Irish Financial Council to control all purely Irish expenditure and for the setting up in Dublin of a statutory body to deal with the whole range of Private Bill legislation for Ireland—have altered, and indeed transformed, many, if not most, of the aspects of the Irish questions. Under these circumstances, the almost unanimous opinion of Liberals has been, for some years past, that another Home Rule Bill was an impossibility, and that the problems of Irish reform could henceforward be dealt with only in piecemeal fashion. Practically everybody took Sir Henry's statement to mean this and nothing else.

Lord Rosebery, however, detected in it a portentous significance. He declared that "the responsible leader of the Liberal Party has hoisted once more, in its most pronounced form, the flag of Irish

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Rome Rule." That policy Lord Rosebery opposed on three grounds: (1) "because of high constitutional objections founded on the recent experience of foreign European countries"; (2) "because of my belief as to what will really conduce to the welfare of the Irish people itself"; and (3) "mainly for this reason, that it impairs the unity of the Free-Trade Party, and indefinitely postpones those tasks of social and educational reform on which the country has set its heart." Then came a smashing and definitive declaration: "I will refer no more to this subject except to say emphatically, explicitly and once for all, that I cannot serve under that banner." The effect of this declaration was twofold. In the first place it probably helped to convince Mr. Balfour that there was more to be gained by resignation than by dissolution. In the second place it made it impossible for Lord Rosebery to accept office in the new Liberal Ministry. But on Ireland and on the Irish policy of the Liberals it has had and will have no effect at all. That is undoubtedly the exact state of the case. The Liberals will take up the work of Irish reform where Mr. Wyndham was forced to drop it, and they will take it up, I venture to predict, in a way that will alienate neither Lord Rosebery nor the Irish Nationalists. The country has absolutely refused to be taken in by the Home Rule bogie. The election will be fought wholly on the fiscal question.

When it was known that Mr. Balfour had determined to resign instead of dissolving Parliament, discussion arose as to whether the Liberals should or should not assume office. The discussion on both sides was governed by purely tactical considerations. The opinion of the country was that Mr. Balfour ought to carry on till January and then dissolve, and that the Liberals would be thoroughly justified in declining to form a Government and in leaving Mr. Balfour with no option but to remain in office. But it was felt by Sir Henry Campbell-Bannerman that the confusion of the Unionists could not be better advertised than by this public confession that even with a majority of seventy they felt unable to carry on the Government for a few weeks longer; that the unity of the Liberals could not be more effectually proved than by the rapid formation of a new Ministry and by their readiness to face all the responsibilities of the situation; and that, after clamoring for a General Election for two and a half years, Liberals were bound to take every opportunity to bring one about. My own

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opinion is that the country as a whole is profoundly uninterested in Parliamentary tactics of this sort. What the average practical man wants and long has wanted is a chance to express his opinions on the fiscal issue, and this chance is at length at hand.

Sir Henry Campbell-Bannerman will not have formed his Cabinet by the time this communication leaves my hands. I cannot, therefore, discuss its personnel. But it is safe to say it will be a strong Cabinet, with plenty of new blood in it. It is also safe to say that the General Election will take place in January and will result in a sweeping Liberal victory. It is possible that the combined forces of the Liberals, the Nationalists and the Labor men will have a majority of nearly 150 over the Unionists. But a large majority is not, necessarily, a secure and homogeneous majority. The Liberal Party, like all parties of progress, is peculiarly the prey of centrifugal forces. It never has had, and it never will have, the solidarity, the discipline and the cohesion of the Conservatives. It is a party of sections, a collection (rather than an amalgamation) of enthusiastic and determined interests, each one of which endeavors to tow the Party in its wake. That is a form of peril to which the next Liberal Government will, I imagine, be peculiarly exposed. It is twenty years since the Liberals were in power as well as in office. There is much for them to do, and they are anxious to do it. The greatest service they can render the country will be to keep in office. By keeping in office they keep the Protectionists out of it. But no Government can exist by pursuing a merely negative policy. It is when they set to work on a positive and constructive programme that the Liberals will be really tested. The Welsh faction will clamor for Disestablishment; the Nonconformists for a revision of the Education Act; the Nationalists for Home Rule; the Temperance men for an amendment of the Licensing Act; the Radicals for an attack on the House of Lords; the Labor men for a new Trades-Union Bill and for the State provision of work for the unemployed; some for the abolition of Chinese labor in the Transvaal; and others for a diminution of the Service estimates. Great firmness on the part of the leaders will be necessary if the new Government is not to fulfil Mr. Chamberlain's prediction and be "hissed off the stage in a few months." Twenty years of Unionist administration have come to an end. With judgment, courage and self-restraint, twenty years of Liberal administration should be about to begin.

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ST. PETERSBURG, *December, 1905.*

THE Russian revolution is the resultant of two sets of forces, the one common to all national upheavals, and the other peculiar to the great Slav people. The more sensational aspects of the movement, its suddenness, its universality, the fanaticism of its apostles, may be traced to causes which are also operative in other nations, whereas its less striking phenomena are characteristic of the race. It would thus seem as though the spontaneous manifestations of a homogeneous and historic people were usually shaped by its racial qualities, seldom by contemporaneous events. Probably the average observer was most forcibly struck by the suddenness with which in far-distant Sarmatia, a peaceful reform movement culminated in a sweeping revolution; but the close student of Russian affairs knew that many years ago, the ground had been prepared, the seed sown, and that for some time past the fruit had been quickly ripening. The creation of an industrial population cut off from the land, the spread of general and technical instruction, the propagation of rationalistic sects, the growing misery of the peasants, the utter incapacity of the ruling classes, were among the remote causes of the unexpected upheaval. The total defeat of the army and navy was the proximate cause. To understand the working of these forces on the Slav temperament was to foresee their effect, at least in outline.

Now, the Slavs in general and the Russians in particular are idealists; they are readily capable of sacrificing personal and, still more, national interests to moral pursuits or intellectual aims. On the other hand, they are deficient in the capacity for hero-worship with which less sentimental peoples are gifted. To their faculty of repressing self corresponds a taste for criticising others, the correlate of self-effacement being the forced absorption of individualism in the mass. That would seem to be a truly Russian trait, the community being the all, and the individual merely an integral part of the whole. Hence, the fewer commanding persons there are in the Government the better, and the less often they come forward the more smoothly things move. Again, few peoples are more liable to illusions than the Russians, and this not only in virtue of ignorance which among the masses is superlatively crass, but also by reason of an inborn disposition, which may be termed invincible. Thus, from outward and fitful changes, they expect inward and lasting results; they look for the

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working of form upon essence, for the influence of shadow upon substance. Those are a few predominant traits of the Russian character. And the customs of his family, the superstitions of his church, the abnormities of his administration and the history of his nation abound in illustrations of these racial qualities. To convince ourselves of this, we have only to glance at the odd contrasts between the squalid poverty of the peasants and their ruinous hospitality; between the corrupt clergy and the pious congregation; between hunger for land and communism; between a cruel exacting administration and a submissive people.

These racial traits help explain the Russian revolution.

A twelvemonth ago, hardly anybody believed it was coming. A millennium, they remarked, is just as likely. When I announced that it had already begun, people smiled, and set themselves to prove that in the Tsardom of to-day an upheaval is absolutely impossible, were it only because the army is arrayed on the side of the Autocrat. It was seemingly an unanswerable argument; but the nation answered it satisfactorily in the last days of October, while Witté and the Tsar were, so to say, wrestling like Jacob and the angel. What happened was this: The spirit of self-sacrifice prompted the Russian people to cease from all business whatever, and to say, "The Empire, and we who bear the burden of it, shall perish if the Augean stables of the administration are not cleansed. *Fiat justitia ruat imperium.*" And thereupon everything stood still, as by the waving of a sorcerer's wand. Trades, professions, callings, skilled and unskilled labor—all things were stagnant. Everybody suffered in consequence; yet nobody complained. Employers cheerfully paid their men for doing nothing, while some firms gave their employees not only the usual wages, but food over and above. People dispensed with electric light, elevators, telephones, newspapers, railway travelling, milk, water, fuel, medical advice and physic.

And yet . . . . hunger is strong: and hunger might, nay must, have prevailed, giving victory to the Autocracy if the Tsar would but wait. It was only a question of a few days. But the monarch resembled his people: he set the public weal above his personal and dynastic interests, and yielded gracefully. Or, at any rate, he declared that he did so, and that act, were it but a tribute paid to the nation's characteristic, bears out the view unfolded above. The Autocracy, had it been stern, unbending,

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enterprising, would have won a victory—true, only for a time—but it would have dammed the revolutionary current for the moment. And that, after all, was the problem. The other task of prolonging absolutism for another ten or fifteen years had ceased to be soluble after the defeats at Mukden and Tsushima.

Thus the Tsardom succumbed to an anonymous movement. For there was not a single leader anywhere, nor even a prominent personage who acted any great part with the exception of Witté, and he represented the nation. It was a community advancing against its political head, and self-effacement was the maxim acted upon by both adversaries, but never formulated. Nowhere was there a great organizer, an eloquent orator, a brilliant leader. Nay, there was not even a permanent president of any of the associations which, in rapid succession, became the sources of power. It was all hive work, the units of the community laboring by instinct, without guidance yet unerringly.

Indeed, in anonymity lies the strength of the Russian revolution. In religion image-worshippers the Russians are iconoclasts in politics. A leader—nay, half a dozen leaders—had any appeared, would have been used up and discrowned since the outset of the revolution. But there is another reason why the personal element has been avoided. A demagogue would have gathered all his followers around him, and the nation would then have seen how very few are those who play the part of leaven to one hundred and forty millions. And this amazing revelation might have changed the attitude of the autocratic party, and inspired them with dash and daring. For there are only some 3,000 Social Democrats in St. Petersburg all told, and about 1,000 Social Revolutionists. A mere handful! Yet it is they who have been impersonally commanding the whole nation. Orders and programmes issued in the name of a committee, a board, a party, a group, are more readily accepted and executed than those drawn up by a fourth-rate demagogue, whose education, owing to political difficulties, has been sadly neglected.

But are there then no natural leaders of men among Russians? If there be any, the conditions for their success are inauspicious. Personally, I know one candidate. Enjoying the reputation of a writer, he recently won new laurels as a speaker, and now possesses the confidence of many as a leader. Whether he is imbued with any of the qualities needed as a chieftain of the masses during

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periods of storm and stress is doubtful to me: to the thinking of his friends, he possesses them all. However this may be, it is curious to watch the veering gait, the groping movements, of this would-be guide of men. He does not go before his followers, or even his party, and lead the way: he first watches the tendency of this section and that, compares the demands of the right group and the left, weighs the personal prejudices of the fractions which bid fair to become the vanguard of the movement to-morrow, and then he enounces a tenet or utters advice which is as nearly as possible the resultant of all these forces. Such a man, were he to attempt to play Moses to the Russian people, would be swept away in a week.

This "leader," then, is manifestly led, but so is his party, so are all the moderate parties. In private, these men advance reasonable opinions and condemn the extravagant notions of dangerous day-dreamers: but in the glare of the footlights, they will advocate the doctrines which they loathe and sneer at advice which they recently volunteered. A politician whom I know personally called upon a member of the Cabinet lately, and asked him to show "firmness" to the peasants, administer justice to the landowners and to punish certain institutions and illegal associations. "But you yourself signed a petition to me ten days ago in which the things you now say were contradicted; you assured me then that. . . ." "Ah yes, I remember. Of course. Well, never believe what is set forward in a petition that I sign. For it is not my doing; it is not the handiwork even of the majority. It is drawn up by two or three. One man makes a radical proposal and looks sharply at the others, speaking boldly and gesticulating vigorously. Another seconds the motion and assumes that nobody will oppose it. The assumption acts like a hypnotic suggestion, and the proposal is accepted.

It was thus that in Tomsk the crowd of the Black Hundred was hypnotized and set to burn a thousand men, women, children in the railway building and torture many of the wretched victims. It is thus that the peasants are being hypnotized who pillage the landlord's granaries, gut his house, drive off or kill his cattle, cut down his timber, remove his landmarks, seize his land, tear up his books and burn down every house and outhouse that he possesses. It is thus, too, that the working-men are being inspired against their better judgment to cease work, to smash

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machinery and dry up the sources of their own livelihood. "One good result we certainly achieved," said the council of the working-men's delegates in its decree terminating the second strike, which had just proved a failure: "We dealt a terrible blow to the finances of the Russian Empire." In other words, they inflicted a serious injury on themselves. For it is by the working-man and the peasant, the caryatides who sustain the whole weight of the Empire, that the blow will be felt first, last and most painfully. But the operative has been told, as the peasant has been told, to rise against the "have-alls," and they obey joyfully, without calculating results.

A few illustrations will bring the matter home to the American reader. In Odessa, during the days of blood and fire, a frail, shrivelled, squalid Jew is seen shuffling along looking affrightedly and circumspectly around him as he goes. The street is deserted; houses are still smoking, corpses are lying unburied on steps and cobbles, the clatter of the hoofs of Cossacks' horses is heard from afar. All at once, a brawny, ruffianly-looking man comes striding down the street in the direction opposite to that from which the Jew is coming. In his hand he carries a bludgeon. His look is haggard; his eyes are bloodshot; his garments torn and blood-stained. There can be no doubt, he is one of the Jew-killers, a man of the Black Hundred, and his errand is destruction. The heart of the feeble Hebrew flutters at the sight. Death is nigh, for he cannot run; they are but a few yards apart and help there is none. But perhaps there may be hope yet? He falls upon his knees, strikes the cobblestone with his forehead in front of the heavy boots of the hooligan, and speaks: "Benefactor, Father, accept my money. Here is all I have, but for the sake of the God we both worship, spare my life. I have children and you a . . . ." "I don't want your purse; keep it." The voice was gruff, but strangely tearful. It was pitched in the key of repentance with a transitional passage to despair: the eyes were remorseful and sad. "I don't want your life, either. My God, my God! I am a murderer. Cain was not worse than I am. I have killed three children, Jewish children. Will God ever forgive me? Pray for me, brother. Something came over me and darkened my mind. I saw red. I did not see the sin. My God, be merciful!" That *massacreur* was a true Russian.

Here is another case. The soldiers of the Brest regiment in

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Sebastopol are told to mutiny. They do not know why, nor from whom they have received this strange command. It is anonymous. Some marines and operatives merely shout the order, and it is obeyed unhesitatingly. The whole regiment is up in revolt. Next day the commander, Dumbadze, talks to his men, addressing his words to their consciences. A flashlight shows them what they have done and, becoming contrite, they are ready to go through fire and water to show their devotion to the Tsar. Two days later, the commander is about to fire upon the marines with whom his men had made common cause, but he first utters a few words to his soldiers: "Men, you stained the reputation of the regiment by failing in your duty to the Tsar. His Majesty, who took pride in your loyalty, was greatly grieved at the news of your defection. It is true you returned to your duty, but the memory of your insubordination is fresh. It is not, however, indelible. If your repentance is sincere, prove it. In yonder barracks are enemies of the Tsar. His Majesty orders you to bring them to a sense of their duty. Occupy those barracks by force, and you will have washed away forever the blot upon your regimental scutcheon. Forward." The men cheered, obeyed orders promptly, opened fire upon the barracks, which they took and occupied, forcing two thousand men with ten quick-firing guns to surrender. Dumbadze forwarded a graphic account of the regiment's repentance to the Emperor, who despatched a telegram warmly thanking the soldiers, forgiving their former backsliding and ordering that the unpleasant episode be struck off the rolls of the regiment.

The very marines who were thus killed, wounded or taken prisoners differed nowise from the soldiers of the Brest regiment. They, too, had been hypnotized, but there was no one to break the spell. They had been anonymously told to revolt, and they revolted. They turned their officers away, and instituted anarchy. Yet they still believed they were loyal to the Tsar! And they continued to discharge their daily duties as before. Thus the second day of the mutiny being the anniversary of the birthday of the Dowager Empress and a holiday, they celebrated it carefully and in the traditional way by church service, a Te-Deum and then a review. Several thousand of them paraded in public before a non-commissioned officer in honor of the mother of the Tsar, against whose officers and whose orders they had revolted! In truth, all that was needed was a genuine man to talk to their slumber-

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ing consciences, or rather to take the scales from there eyes, and they too would have arisen and returned to their duties. For in all these cases the benighted masses are being hypnotized by a small group of revolutionists, who have assimilated a few Western ideas without any rounded beliefs or hopes, religious or philosophical—anarchy in politics and atheism in religion. But the masses believe in God, hope for a better life after this and often strive to make themselves worthy of it. Hence they are easily moved to sorrow for sin and to systematic effort at self-reform.

Anarchy, ignorance, hypnotism, are some of the explanations of the present phases of the revolution, as well as of its origin. And they also point to the manner in which it may be effectively checked. In this case, "*similia similibus curantur*" would be a most dangerous maxim to act upon. And it will not be deliberately acted upon. Not deliberately, but perhaps instinctively, spontaneously. The revolutionists, with their never-ending strikes, fierce agrarian disorders, antireligious and antipatriotic propaganda, have overshot the mark. Upon violent action, more violent reaction is following, and still worse may yet come. How it is arising, and what shapes it can assume, may be discerned from the following characteristic example.

In the village of Malinovka, the peasants killed their priest. The motive was personal, and had nothing to do with irreligion, but the revolutionists fancied it was the beginning of agnosticism and resolved to develop it. They drove the cattle into the church, slaughtered oxen on the altars, defiled the holy images with blood, tore the hide from the carcass of one of the dead animals and garmented the image of the Virgin with it. Then one of the old villagers present made the sign of the cross devoutly, and split open the skull of the sacrilegious criminal. It was done deliberately, piously, calmly. The other peasants followed his example and together they massacred over forty men.

That is but one instance of the reaction. Others may be feared and then. . . . The police, which has gained a terrible notoriety for itself by organizing the blood-baths of Odessa, Kieff and other places, is not needed to institute this kind of lynch law. The popular impulse is spontaneous, strong and infectious. I know a case in which liberal landowners and enlightened peasants were ready to march together against the liberals of Moscow, and cut them to pieces, but were hindered by the authorities. In other

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cases, they will not be stopped by anything short of force, and this the Government cannot employ everywhere simultaneously.

The revolutionists have already severely damaged Russia industrially, commercially, financially. They are working hard to ruin her economically and will probably succeed. The Government cannot raise a foreign loan. Bondholders have been madly throwing their securities on the market; gold has been leaving the country by the million daily; taxes have not been gathered; corn has not been exported; manors and farmhouses have been burned down by the hundred; machinery and mills have been reduced to ashes; the navy has been seduced from its allegiance; the army is being systematically demoralized; in a word, anarchy, in the fullest sense of the word, has suspended what order there was, and the nation is drifting towards ruin. The active part which the revolutionists have taken in bringing these things to pass would certainly not justify the awful vengeance which the Russian people threatens to take upon them; but it would go far to explain it.

PARIS, *December, 1905.*

THE real interest of French politics during the last few weeks lies, above all, in M. Rouvier's fight with the Socialist and Anti-militarist party.

The reader, no doubt, remembers that throughout the Ministry of M. Waldeck-Rousseau, and especially that of M. Combes, the Socialists were all-powerful. M. Waldeck-Rousseau had thought it a clever move to take M. Millerand—who is a man of quite exceptional abilities and who eventually proved to be a very moderate Socialist—into his cabinet. M. Millerand was the first Socialist who had the honor of receiving office, and this victory so conciliated his party that, for the first time since there were Socialists in Parliament, they consented to act with the majority, instead of sulking or clamoring by themselves. Their support caused the comparatively long duration of M. Waldeck-Rousseau's and M. Combes's cabinets, as all previous Premiers had been overthrown by a tacit agreement of the Socialists with the Anti-Republicans. On the day when M. Millerand took office, the Socialists on the one hand made up their minds to be content with the Radical policy. They dropped for the time their characteristic reforms—such as the nationalization of the railways, banks, insurance-com-

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panies, etc.—and were satisfied with the war mercilessly waged throughout those six years against the Catholics, and with the constant reduction of military and naval expenditure. On the other hand, the Ministers took care never to offend these stern and fretful allies. Anticlericalism was rampant; General André disarmed much more than he armed the frontier, and M. Pelletan brought the improvement of the Navy to a standstill. Meanwhile, the tale-bearing system was organized and extended in the Army.

For six years this policy was pursued, to the universal applause of Europe. There seemed to be more stability in France than at any previous period since the establishment of the Republic. The enemies of the constitution were expelled, one after the other; and our foreign situation, thanks to M. Delcassé's efforts, seemed better than it had ever been. It is a positive fact that, eighteen months ago, war appeared to be an absurd impossibility, and M. Jaurès was no longer thought Utopian when advocating universal disarmament. The war in the Far East was an unexpected shock. Everybody felt that a spark from that fire might cause a tremendous conflagration. Yet a European war was still pronounced impossible, because too awful. Suddenly came the revelation of the delation system in the Army and of the confused state of things in the Navy. The Combes Cabinet fell with a crash, and serious anxiety spread at the notion that, *if* war broke out in Europe, we had lost all the advance which modern armies and fleets lose, like racers, in a few months' cessation of practice. One of the few ministers bequeathed by M. Combes to his successor was M. Berteaux, appointed in the place of General André.

M. Berteaux is a Socialist of considerable fortune, and a stock-broker with a curious taste for and an unquestioned acquaintance with military questions. Being both a civilian of advanced views and an amateur soldier, he was looked upon as acceptable to the Socialists and not disagreeable to the Army. Facts came soon to prove that one cannot be at once an antimilitarist with the Socialists and a soldier at the War Office.

M. Berteaux's first act was to burn all the *dossiers* sent in to his predecessor by hundreds of telltales. The second was to punish indifferently those who had been informing and those who complained aloud of having been informed on. The third was on the occasion of a strange outburst in the Chamber, when, a general amnesty having been proposed—affecting the two aforesaid cate-

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gories of officers—and M. Lasies, an ex-captain in the Army, having protested against the impropriety of mixing up cowards with honorable men, M. Berteaux quitted the Ministerial bench in a rage at seeing that his colleagues apparently shared that view.

Just at that moment, the Moroccan affair had seriously clouded the horizon, and the imminence of war had committed every man to the advocacy of the extreme consequences of the principles he professed. On the one hand, we saw the shameless antipatriotic campaign which I described in my last communication. On the other, it came home to all good Frenchmen that trifling with the national defence might be a crime. M. Rouvier took sides from the very first with the so-called Militarists. The Socialist friends of M. Berteaux screamed that the Premier was betraying the Republic, as the Right supported him; and the position of the Minister of War grew exceedingly awkward.

During the Parliamentary recess, the danger of having to answer questions seeming remote, M. Berteaux took a few steps which, while calculated to please the Socialists, were very likely to bring him into difficulties. He engaged as private secretary an active Socialist, M. Maxence Roldes, well-known as a bitter antimilitarist; and, a strike at Longwy, a town near the German frontier, having made effective military interference necessary, the Minister sent this extraordinary representative of the Army to inquire into the rights and wrongs of the affair. The police inspector at Longwy, not being aware that M. Maxence Roldes's mission was semiofficial and knowing of him only as a popular agitator, shadowed him during all his stay at Longwy. Shortly thereafter, M. Berteaux in person repaired to Longwy, and actually took off his hat to a red flag carried by a procession of anarchists singing the *Internationale*. The commotion in all the moderate press was tremendous. When the Chamber met in the beginning of November, the Minister found it difficult to reconcile his exceeding civility towards the enemies of the Army with his position as chief of the Army. The Premier left him to shift for himself.

M. Berteaux then imagined a plan which was to bring a decisive change in the general aspect of the Chamber. Being a millionaire and a very influential deputy, he had been many times spoken of as a possible President of the Republic. He sought an occasion of rallying for his own exclusive benefit the old majority of the Combes government. The opportunity soon offered itself.

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The workmen employed at Brest in the naval arsenal are certainly underpaid, and are in consequence almost constantly on strike. M. Jaurès and the Socialists contend that they have as much right as other workmen to strike. M. Rouvier maintains that the national defence must, on no account, be left in abeyance, consequently that the legislation as to strikes does not apply to the men employed by the State, but that the latter are not bound hand and foot, as the Chamber is the natural arbiter between them and the Admiralty. Just before this question came before the Chamber, M. Berteaux resigned his office, because the Government, he said, could no longer be regarded as Republican, and waited for the result of this very unparliamentary move.

M. Rouvier had, on one side, to stand by his patriotic policy; on the other, he had to reassure the majority, which are always extremely jealous of any alliance with the Moderates. If he succeeded, he was pretty sure of doubling the cape on the other side of which the General Election appears so near that the ordinary deputy sees nothing else. If he failed, the party of M. Combes was sure to be rallied round M. Berteaux. M. Rouvier, as usual, played his cards extremely well.

The departure of M. Berteaux left in the Cabinet a gap which it was necessary to fill with a man agreeable to the Extreme Left. The Premier chose M. Trouillot who was reporter of the Law against Religious Orders under M. Waldeck-Rousseau, and had been Minister of Commerce in the Combes Cabinet; who, in consequence, could not be suspected of lukewarmness, though his delight at finding himself once more in office could not but secure his loyalty to M. Rouvier. M. Trouillot, taking not M. Berteaux's portfolio, but that of the Minister of Commerce, a game of general post followed—a process to which we have long been accustomed—and this brought M. Etienne to the War Office. This nomination too was, from the purely governmental standpoint, very wise. M. Etienne is a civilian, and the Radicals loathe as much as the Socialists a soldier as head of the Army. On the other hand, he had professed strong sympathy with the Militarists in a Ministerial speech delivered at Toulouse, and things have come to such a pass that the Army prefers a man who never wore the uniform, but respects it, to one who understands military matters, but plays the game of the Socialists.

M. Etienne's first action as Minister of War was putting the

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Commander-in-Chief, General Brugère, under arrest for a fortnight, "for making use of a private conversation." The circumstances which led up to this action need not be detailed, but the surmise may be hazarded that it was taken at the suggestion of the Premier, who, while strongly averse to antimilitarist ranting, is not slow to take advantage of an opportunity to conciliate the Socialists by showing the precedence of the civilian over the military.

This sense of the week-day policy appears also in the third move taken by the Premier to satisfy the Radicals that his majority was resting on them rather than on the Moderates. M. Rouvier has never been known to take any special interest in the separation of Church and State. Throughout the debate on the disestablishment law in the Chamber, he did not once speak a syllable either for or against it. But, just after M. Berteaux's secession, he delivered a forcible speech on the necessity of bringing the Separation Bill safely through. The next day the Chamber divided on the case of the Brest and Lorient strikers, and the Socialists found themselves with only eighty-seven votes. M. Berteaux had sided with them and has begun since to write for the "*Lanterne*," which is the most violent and one of the coarsest organs of the Socialist opposition.

It is, therefore, probable that M. Rouvier will be in office when the Presidential election takes place, and unless the new President happens to embody a very different policy from his, the Chamber will be too anxious about the near future, *i. e.*, the General Election, to venture on any disobedience. They know that there is no hope of salvation for the unfortunate deputy who does not go home with the aureole of Ministerial favor. Very few will run the risk of incurring the Premier's displeasure, and M. Rouvier's position seems as strong as ever.

The Presidential election takes place at the end of January or very early in February, immediately after the partial election of the Senate, a third of whose members are submitted to re-election. About January 10th, the Chamber meets and elects its President for a year. It is evident that the result of this election will foreshadow the more important one coming so soon after. It has at all times considerable significance. The election, last year, of M. Doumer,—who had been waging merciless war against M. Combes—soon brought about the fall of the Cabinet. Govern-

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ments always dread a manifestation of opinion in which,—the ballot being secret,—no amount of browbeating avails. Now M. Doumer is so far almost the sole candidate to the succession of M. Loubet who does not conceal his ambition. Everybody knows that this gentleman left his situation as Governor of Indo-China, resumed his seat in the Chamber and—almost surreptitiously—wriggled himself into the Presidency of the Palais-Bourbon, merely because he thought to slide easily and naturally from that eminence to the long-coveted Elysée. If he succeeds in retaining the lesser presidency, he will stand a good chance of rising twenty days later to the higher. If he fails in the Chamber, he cannot even think of contesting the Elysée. His chances are as follows. He is comparatively young—just turned fifty-six—strong, energetic, altogether a self-taught and self-made man, lucky throughout his whole career. His opinions are very much those of M. Rouvier. On the other hand, his ambitions are a little too well known; he is most unacceptable to the Radical party; he seceded from the Free-Masons at the time of the delation affair, and, in return has been excommunicated by his Lodge—a serious matter for a politician; finally, he has not been remarkable as President of the Chamber. His chief chance of reelection in the Chamber and of eventual success at Versailles lies in the similarity of his views with those of the present Premier. His election as President of the Republic would be a triumph for the Moderates, and would bring the progress of the Radical policy to a standstill.

Another probable candidate is M. Fallières, the present President of the Senate. M. Fallières would not make a very impressive President of the Republic. Whoever has seen him ensconced in his chair, with all the drowsiness of the place collected about him, or standing bulky and round-shouldered and purring some paragraph of the Bill under discussion, finds it difficult to imagine him at the Elysée, otherwise than as a too faithful replica of Grévy of hazy memory. Only, M. Loubet was President of the Senate when he was chosen by the Congress, and it seems natural that the man in possession of the second magistracy in the Republic should be raised to the first. It is also natural that, in a country where the Executive is entrusted with little more than nominal power, the all-mighty legislators and electors should prefer a man who will never stand in their way.

I spoke in my last letter of M. Léon Bourgeois as a dangerous

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outsider. He still continues to be one. He is an ex-Premier and ex-President of the Chamber; he is, with apparent moderation, a man of advanced opinions and a confirmed anticlerical, a gifted orator and an exceptionally dexterous leader. Only a few months ago, he was offered the post of plenipotentiary to Berlin, when the appointment meant that the fate of France was placed in his hands. He is not a forgotten man, and my firm belief is that, if he lately sought, and easily got, a seat in the Senate, it was to make himself forgotten, not by his friends, but by his enemies. If he runs against M. Doumer, the chances must be in his favor.

The last, certainly not least, though so far quite unexpected, candidature is that of M. Loubet himself. Months ago, the President stated his firm intention of not standing again, took a flat in the rue Dante, and had his private furniture removed from the Elysée. Nobody thought of considering the advisability of urging him to remain, when a local paper in his native Drôme—not favorable to him—suddenly declared itself in possession of proofs to the effect that the President had made up his mind not to go. An official paper immediately contradicted the statement, but since that day, nobody speaking openly of the Fallières or Bourgeois candidatures, and Clémenceau having opened fire on M. Doumer, the possibility of reelecting M. Loubet appears greater every day.

WASHINGTON, *December, 1905.*

PRESIDENT ROOSEVELT'S fifth annual message will be read with interest abroad, not only for his extended exposition of what, he thinks, ought to be his country's foreign policy, and of the military and naval forces needed to uphold it, but also for the indication of the present Administration's attitude toward tariff reform, and toward the attempt to recover for the United States their former large share of the world's carrying trade. To touch, first, the two latter points of the message, we presume that nobody will infer from the President's reference to the subject that any very strenuous attempt will be made by him to modify the schedules of the Dingley tariff, except in their relation to the Philippines, during the life of the Fifty-ninth Congress. Mr. Roosevelt has learned by experience the expediency of trying to do but one thing at a time, and his primary aim within the field of domestic politics is to secure, during the present session of the Federal

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Legislature, the passage of a bill conferring on some administrative body the power of making rates for railways. He evidently thinks that tariff revision can wait, though he does not say so in so many words. What he does say embodies a somewhat tardy but welcome recognition of the fact, too often overlooked, that the attainment of a perfect tariff is a counsel of perfection, unsuited to practical politics, and that the friction, agitation and apprehension inseparable from an effort to compass ideal equity and justice do more harm by unsettling business than a tariff notoriously defective in some particulars. He recognizes at last that there is more need of stability than of a struggle to reach absolute faultlessness in the methods of raising revenue; and that the shock and strain to which industrial and commercial interests are subjected by any serious change in those methods render such change inadvisable, unless for grave reasons. Apparently, the President is not convinced that such grave reasons now exist. At all events, he pronounces it as yet too early even to try to outline what shape a readjustment of the tariff should take, because, in his judgment, it is too early yet to say whether there is pressing need for it. Meanwhile, he holds it demonstrable that no change should be made on lines beneficial to, or desired by, only one section or State. There must be, on the contrary, something like a general agreement among the citizens of all the States, an agreement expressed through their representatives in Congress, that a change is needed and desired in the interests of the people as a whole; and there should then be a sincere, a disinterested and an intelligent effort to make such a change as will combine, as far as possible, the maximum of good to the people at large with the minimum of necessary disregard for the special wishes of localities or classes. As the circumspect views of the Executive are not only shared by the Speaker of the House, but reaffirmed by the latter with emphasis in his appointment to important committees, the prospect of tariff revision at the hands of the present Congress is not bright.

The President plainly concurs in the widely prevalent opinion that the persistent neglect which has permitted the virtual extinction of our ocean-carrying trade is a reproach to the country. Something unquestionably ought to be done, and that at once, for the revival of our once mighty merchant navy, whether regeneration take the form of generous subsidies, or of the con-

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cession to American citizens of the privilege of buying ships on the Clyde, or wherever they may be purchased most cheaply, and then placing them under the Stars and Stripes. We should have ships of our own, and seamen of our own, not only to convey our goods to neutral markets, but, in case of need, to reinforce our battle line. Especially does the President feel it to be a source of regret and uneasiness to us that the lines of ocean communication with our sister republics in South America should be chiefly under foreign control. He is alive to the disability under which American manufacturers and merchants labor by reason of the fact that they have to send their goods and letters to South America by way of Europe, if they wish security and despatch. We are also reminded that, even on the Pacific, where, of late, our vessels have held their own better than on the Atlantic, our merchant trade is now threatened through the liberal aid bestowed by foreign Governments on their own steam lines. The discussion of this topic is closed with a request for the careful consideration by Congress of the report in which the Merchant Marine Commission has embodied the result of a long and minute investigation.

The section of the President's message which deals with our foreign policy begins with a definition of the position which our country has taken, and by which under the present Administration it will abide, with regard to international peace. Of the practical and efficient work performed by himself in the interest of peace, through bringing about the Portsmouth Conference, and preventing it from proving abortive, Mr. Roosevelt says not a word. He does recall, however, that, while the war in the Far East was still pending, he issued invitations to all the Powers which signed The Hague Convention to send delegates to a second conference at The Hague, and that, although the initiative was his own, he did not object, but gave a cordial welcome, to the subsequent assumption of leadership in the matter by the Emperor of Russia. Obviously, he is animated by a single-minded desire to minimize the chances of war, and to mitigate the horrors of it, no matter to whom may fall the major credit for the achievement. At the same time, the President does not expect to witness at the projected conference, or within any period the end of which is now discernible, the attainment of a world-wide renouncement of the sword, and the advent of the brotherhood of man. He recognizes that there are demagogues of peace as well as demagogues of war,

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and, for his part, he has no wish to be ranked in either category. He wants no peace that is not a righteous one, and, for that reason, he believes in the persistent maintenance of naval and military armaments by those enlightened nations whose principles, practices and tendencies make, on the whole, for righteousness. He is, at the same time, convinced that much may be accomplished by developing and supplementing the beneficent work already done at The Hague. For example, it should be possible to minimize the number of cases in which an appeal to arms will be sanctioned by the international conscience, and to offer to at least all civilized Powers some substitute for war in a considerable number of controversies which hitherto have been left to the arbitrament of the sword. Mr. Roosevelt expresses an earnest hope that the coming conference may be able to devise some way to make arbitration between nations the customary mode of settling international disputes in all save a few classes of cases in which a nation's honor or vital interests are alleged to be involved; and he adds that even these exceptions ought to be as sharply defined and rigorously limited as the present governmental and social development of the world will permit. In his judgment it goes without saying that neutral rights and property should be as thoroughly protected at sea as they now are protected on land; and that what constitutes contraband of war, about which, in the recent contest between Russia and Japan, there was so much conflict of opinion, should be defined by international agreement.

Just at this time, when but the other day a French squadron was assembled at Martinique for the purpose of applying coercion to the Republic of Venezuela, and when, under a treaty as yet unratified by our Senate, the customs duties imposed by Santo Domingo are being collected and apportioned by American citizens deputed to that function by the Dominican Executive, it is natural that Europeans should scan with lively interest the latest comments of President Roosevelt on the development of the Monroe Doctrine. The fundamental postulate is reiterated that, when we announce a policy of exclusion, such as the Monroe Doctrine, a policy never yet collectively and formally recognized as binding by the European Powers, we thereby commit ourselves to the logical and equitable consequences of the policy. It is illogical and inadmissible for us to prohibit a European occupation of any territory now free and independent on the American Continent,

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and, at the same time, to repudiate all responsibility for the international good conduct of such territory. The assertion of a right implies the recognition of a duty. The President insists that we cannot, with any show of justice, allow the Monroe Doctrine to be used by any American commonwealth as a shield to protect it from the consequences of its own misdeeds against foreign nations. If, for example, a republic to the south of us commits a tort against a foreign nation, such as an indignity to its flag or to a diplomatic or consular representative, or an outrage against a citizen of that nation, the Monroe Doctrine does not oblige us to interfere to prevent punishment of the tort, beyond seeing to it that the punishment does not assume the form of lasting territorial occupation. In this construction of the limits of the Monroe Doctrine, all of Mr. Roosevelt's predecessors have concurred. Whether the United States should also acquiesce in the enforcement by arms of debts arising out of contract is a question which cannot be said to have been settled by Executive usage: indeed, Mr. Roosevelt himself assented in 1902 to the application of force for such a purpose to Venezuela by war-ships of Germany, Great Britain and Italy. That incident, however, resulting as it did in the confiscation of a part of Venezuela's customs revenue for an indefinite period, led Mr. Roosevelt to a careful reconsideration of the subject. He now shows himself thoroughly alive to the distinction between debts arising out of torts and merely contractual debts, the distinction upon which so much stress has often been laid by Latin-American publicists, who have insisted that, in the case of the latter class of obligations, foreign creditors should be remitted to the courts of the debtor country. This principle is habitually recognized when powerful nations or their subjects are delinquent: why, ask the Latin-Americans, should it be rejected when the indebted commonwealths are weak? Our President, for his part, does not consider it our duty to forbid the forcible collection of contractual debts; he is reluctant to relegate foreign creditors to the more or less suspected tribunals of some indebted American republics. He has discovered a mode of escape from the dilemma, which has been propounded and expounded by himself and by Secretary Root. It is, as we scarcely need recall, that, with the consent of a debtor commonwealth, the United States should undertake to bring about some arrangement by which so much as is possible of a just obligation could be met. It is

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obviously better for the indebted republic that this country, being pecuniarily disinterested, should collect its customs revenues and apportion a part thereof to honest creditors, than that the same function should be performed by one or more of the creditor nations. By such an arrangement, the defaulting commonwealth would be shielded from having to pay debts of an improper character under duress, and, at the same time, its honest creditors would be safeguarded from the danger of being passed over or scaled down in the interest of inordinate or fraudulent claims. The debtor State would also be insured against an indefinitely protracted occupation of its custom-houses by the agents of a European Power. The President reminds us that this method of averting a state of things, the gravity of which was brought home to us by the partial confiscation of Venezuela's customs revenue, has been applied since the close of the Fifty-eighth Congress in Santo Domingo at the request of its Government. The treaty now pending before the Senate authorizes the United States to collect the Dominican customs revenue, and, after turning over forty-five per cent. to the insular Government for its running expenses, to place in a safe depositary the remaining fifty-five per cent. for equitable distribution among the various creditors, European or American. The treaty not yet having been ratified, the American citizens who are acting as collectors of customs do so by the appointment, not of our State Department, but of the Dominican Executive. The experience of the last eight months has shown that the benefits of this arrangement are twofold. The net returns from Dominican customs are now more than double what they were before, so that both the Dominican Administration and its foreign creditors are witnessing a proof of the paradox that the half is greater than the whole. There are three classes of onlookers, however, who doubtless would be glad to see the Dominican Treaty rejected by our Senate: to wit, the foreign Governments which had planned to seize and hold for an indefinite period certain coigns of vantage in Santo Domingo—it is understood, for instance, that Germany was to have Samana Bay—as pledges for the satisfaction of contractual obligations; dishonest creditors, who foresee that no claims against Santo Domingo will be adjudged valid by the United States without rigorous investigation; and, lastly, professional revolutionists, accustomed to regard the Dominican custom-houses as their natural prey.

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CONTRIBUTORS TO THIS NUMBER.

FREDERIC LOUIS HUIDEKOPER,

a member of the bar of the District of Columbia, was educated at Harvard, at Christ Church, Oxford, and at the Law School of Columbian University, Washington. His military writings—begun, while he was still an undergraduate at Harvard, under the supervision of the late John Codman Ropes, the author of the well-known "Campaign of Waterloo," for whom he did some research work in Paris—have obtained unusual recognition among military men. His articles on the campaigns and battles of Frederick the Great, Napoleon and von Moltke, originally published in the "United Service Magazine," and in the "Journal of the Military Service Institution," the official magazine of the United States army, subsequently appeared in book form in the International Military Series under the title of "Military Studies," the only work by a non-military man accepted for that series. This book has been placed by the War Department in the War College and at West Point, and is known to military critics abroad. Mr. Huidekoper, who has been at work for some years on a history of the campaign of Austerlitz, is one of the few Americans who have been permitted to make extensive researches in the archives of the French, Austrian and Russian War Offices.

H. B. F. MACFARLAND,

Chairman of a Committee appointed to raise a large fund for carrying out the plan for commemorating the twenty-fifth anniversary of the founding of the Christian Endeavor Society, was educated at Rittenhouse Academy, Washington, and studied law at the Law School of Columbia University. He was long connected with the Washington offices of the "Boston Herald" and the "Philadelphia Record." He was

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appointed chairman of the Citizens' Committee of the National Capital Centennial held in 1900 to celebrate the one-hundredth anniversary of the establishment of the machinery of government in Washington, and he delivered the Centennial address in the Executive Mansion. In the same year he was appointed President of the Board of Commissioners of the District of Columbia—a post which he still occupies.

HANNIS TAYLOR,

who is recognized throughout the world as one of the most eminent living authorities on constitutional history and constitutional law, was born in New Berne, North Carolina, in 1851. Having graduated at the University of his native State, he was admitted to the bar and achieved great distinction in the practice of his profession. He was appointed Minister to Spain by President Cleveland in 1893. The wide literary fame gained for Dr. Taylor by his great work on "The Origin and Growth of the English Constitution" was materially enhanced by his treatise on "International Public Law," which has been declared by a high authority to be "the most exhaustive work of its kind issued in this country since Dana's Wheaton." In recognition of the service which he had rendered to literature and learning by the publication of these works, the Universities of Dublin and Edinburgh recently conferred upon Mr. Taylor the honorary degree of LL.D. He has just published a third treatise, of a like scholarly and comprehensive character, on the "Jurisdiction and Procedure of the United States Supreme Court" upon which the Justices of that court have put the imprimatur of their high approval and commendation. Mr. Taylor represented the United States before the Alaskan Boundary Commission.

THE REV. W. E. GRIFFIS, D.D.,

after leaving Rutgers College, where he had taught the first Japanese lads who came to America as students, went to Japan in 1870 to organize schools on the American plan. He was superintendent of education in the province of Echizen in 1871, and Professor of Physics in the Imperial University of Tokio for several years. Both Komura and Takahira were his pupils, and he met and talked with most, and at some time saw all, of "the fifty-five creators" of the New Japan of 1868, including all the "elder statesmen." On return-

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ing to the United States, he studied divinity, and became pastor of a Reformed church at Schenectady, New York, in 1877, of a Congregational church in Boston in 1886, and of a Congregational church in Ithaca, New York, in 1893. He has written voluminously on Japanese subjects.

J. Warren Keifer

has been in interrupted law-practice in Springfield, Ohio, since 1858. He served with the Ohio Volunteers in the field from 1861 to 1865, ranking successively as major, lieutenant-colonel, colonel, and brevet brigadier-general and major-general. He was wounded four times, and in 1866 he was offered, but declined, appointment as lieutenant-colonel in the 26th United States Infantry. In 1866-9, he was a member of the Ohio State Senate, and he was a member of the House of Representatives from 1877 to 1885, being Speaker of the House during the last four years of his incumbency. He served as Major-General of Volunteers in the recent war with Spain. He is the author of a work entitled "Slavery and Four Years of War."

W. S. Rossiter,

after graduating from Amherst College in 1884, filled a position in the business department of "The New York Tribune," and, later, of "The New York Press." Subsequently, he established a printing and publishing business on his own account, and in 1900 he was called to Washington to take charge of the publication of the reports of the Twelfth Census, and also to prepare the Twelfth Census report on printing and publishing. In 1904, he was appointed Chief Clerk of the Census, and he has since occupied that position, retaining also the supervision of the printing of the Census Bureau. He is the author of a volume of short stories and of various statistical papers and magazine articles.

The Rev. F. E. Clark, D.D.,

was educated at Dartmouth College, and after studying theology for three years at Andover, he became the pastor of the Williston Church, in Portland, Maine, which he built up from a small mission to a large and influential congregation in 1883, he was called to the Phillips Church in South Boston, and since 1887 he has devoted his time to the work of the Society of Christian Endeavor, which he founded in 1881, and of which he is the President. Dr. Clark made a journey

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to the Far East a few years ago, for the purpose of attending various Christian Endeavor conventions in Japan, China and Korea.

THOMAS L. JAMES

was born in Utica, New York, and after passing through the common schools and learning the printing trade, he published a paper at Hamilton, New York, for ten years. From 1861 to 1864, he was inspector of customs, from 1864 to 1870 weigher, and from 1870 to 1873 deputy-collector of customs, at the port of New York. From 1873 to 1881, he was Postmaster of New York, and in 1881 he was appointed Postmaster-General of the United States. For a number of years he has been President of the Lincoln National Bank in New York City.

ARTHUR POTTOW

practised for some time as a solicitor in England and is now engaged in journalistic work in the United States.

GEORGE W. YOUNG

is one of the foremost and best-known of the financiers of the United States. He organized the Trust Companies Association of the State of New York, and was the first President of that organization. For a number of years, he was President of the United States Mortgage and Trust Company, and he resigned that position last year for the purpose of forming a banking-house, which he is now conducting under the name of George W. Young & Co.

NOTE.

In Baron de Lévay's article on "The Hungarian Emigration Law" in the January number of the REVIEW, the amount of the annual subvention asked from the Hungarian Government by the two most prominent German shipping companies was incorrectly stated to be 500,000 kronen. The amount of the annual subvention really asked by these companies was 3,500,000 marks.

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